

# Beaumont Hospital

## Data Protection Privacy Policy



### Relevant Information

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*This policy may be updated at any time (without notice) to ensure changes to Beaumont Hospital's organisation structure and/or business practices are properly reflected in the policy. Please ensure that you check QPulse for the most up to date version of this policy.*

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## 1 Introduction

Data privacy or information privacy is a branch of data security concerned with the proper handling of data. The General Data Protection Regulation (Regulation (EU) 2016/679) is a regulation in European law the purpose of which is to govern data protection and privacy for all individuals within the European Union and the European Economic Area.

The purpose of this Privacy Policy is to communicate to you how Beaumont Hospital handles your personal information. It will give you a better understanding of the types of personal information that Beaumont Hospital holds and the way that Beaumont Hospital handles that information and your rights in respect of that information.

## 2 How to contact us

Table 1

To Access your Information	Making a Complaint	Data Protection Officer
Routine Access Office Beaumont Hospital Beaumont Road Dublin 9 +353 1 809 2873 routineaccess@beaumont.ie	Patient Advisory Liaison Service Beaumont Hospital Beaumont Road Dublin 9 +353 1 809 3234/2427 pals@beaumont.ie	Beaumont Hospital Beaumont Road Dublin 9 Ireland +353 1 809 2162 dpo@beaumont.ie

## 3 Who does Beaumont Hospital collect information about?

This privacy notice applies to the Hospital's collection and use of personal information from patients, visitors, next-of-kin, legal guardians, nominated support persons, volunteers, referring doctors, all staff of Beaumont Hospital, trainees, approved researchers, students undertaking training placement in our facilities, contractors, suppliers and other individuals engaged by or providing services to Beaumont Hospital.

## 4 Where does Beaumont Hospital collect information from?

The information that we process directly relates to the relationship that we have with you, whether it is health service related, contractual or employer to employee.

- Information is collected from you directly via phone, e-mail, filling forms etc.

- We collect and process information that allows us to provide you with health care services; and for administrative and internal business purposes related to your attendance at Beaumont Hospital.
- It allows us to fulfil legal and contractual obligations in relation to your employment with Beaumont Hospital.
- This includes name, address, date of birth, contact details, health history, family history, GP details, financial details, health insurance, occupational health details, CCTV.
- We may also collect information about you from other sources eg. Family members, GP's, other health care providers, other employers.

## 5 Legal basis for processing

The Data Protection Act 2018 and General Data Protection Regulation (Regulation EU 2016/679) requires that processing of personal data shall meet certain justifiable criteria to allow for effective processing of personal health data. Health data falls under the banner of special categories of personal data (see definitions for more information). This means that the hospital shall outline in explicit terms the justification for processing of personal data relating to patients, visitors, staff, vendors and contractors.

The table below illustrates types of data Beaumont Hospital processes and the legal basis for processing as required by the General Data Protection Regulation, Regulation (EU) 2016/679.

Table 1

Type of Personal Data processed	Purpose of Processing	Lawfulness of Processing
name, address, DOB, contact details (phone, mobile, email), dates of appointment	Necessary to support the administration of patient care in the hospital. Necessary to support the administrations of employee records in the hospital.	GDPR, Article 6.1(d): processing is necessary in order to protect the vital interests of the data subject or of another natural person; GDPR, Article 6.1(b): processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract; GDPR, Article 6.1(c): processing is necessary for compliance with a legal obligation to which the controller is subject

<b>Financial data</b>	Required for providing a service and billing. Also required for submission of reimbursement claims to the HSE Primary Care Reimbursement Service. Staff payroll.	GDPR, Article 6.1(c): processing is necessary for compliance with a legal obligation to which the controller is subject (Revenue, Medical and Legal Obligations).
<b>Health data, treatments and procedures, diagnosis, notes and reports, lab exams, medications, imaging</b>	Necessary to provide patient care in Beaumont Hospital Review the care provided by audit or service evaluation	Special Categories are processed under the derogations in GDPR, Articles 9.2(h): processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services and 9.2(i): processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices.

## 6 How does Beaumont Hospital use this Information? *(expanded from Table 2)*

### 6.1 To help in decision making about your care and ensure that your treatment is safe and effective

Modern health care practices means that your treatment will be provided by a multi-disciplinary team of health care professionals working together. This allows care plans to be developed for your recovery and on-going care.

### 6.2 To work effectively with other organisations who may be involved in your health care

Beaumont Hospital will usually send a discharge summary to your referring medical practitioner or nominated general practitioner following an admission. This is in accordance with international norms and long-standing medical practice and is intended to inform your doctor of information that may be relevant to any on-going care or treatment provided by them. This discharge summary may be sent to your referring medical practitioner or general practitioner electronically.

If your nominated general practitioner has changed or your general practitioner's details have changed following a previous admission, you must let us know.

If in the future you are being treated by a medical practitioner or health care facility that needs to have access to the health record of your treatment, we will provide a copy of your record to that medical practitioner or health care facility provided this request is processed in the correct manner. These organisations are also bound by confidentiality and the data protection laws.

### **6.3 Referrals**

You may be receiving health or social care from providers outside of Beaumont Hospital. In order to assist in this process, we may make referrals on your behalf requiring the need to share your personal information with those providers. This will be done if there is a genuine need in order to ensure the highest quality of care to you. Anyone who receives this information is also bound by confidentiality and the data protection laws.

### **6.4 To review care provided (audit) to improve service quality and ensure services meet future needs**

Activities such as quality assurance processes and service evaluations to assess standards of care, accreditation, clinical audits, risk and claims management, patient experience and satisfaction surveys and staff education and training

### **6.5 To train healthcare professionals**

Beaumont Hospital supports the placement of students and trainees who may have access to your medical record. All staff are required to comply with the General Data Protection Regulation and other Beaumont Hospital policies.

### **6.6 Other common uses**

Invoicing, billing and account management. Sending standard reminders e.g. appointments and follow-up care, text message or e-mail.

### **6.7 For the Purpose of complying with other applicable laws**

In response to a subpoena or compulsory reporting to State authorities (e.g. National Cancer Registry, National Virus Reference Laboratory).

### **6.8 CCTV**

Beaumont Hospital uses closed-circuit television (CCTV) for the purpose of maintaining the safety and security of its staff, patients, visitors and other attendees. (Please see separate Policy on CCTV)

### **6.9 National Systems**

Beaumont Hospital utilises National Systems as provided by the Health Services Executive (HSE) e.g. the National Integrated Medical Imaging System or NIMIS. This system collects patient registration details along with procedure details and results/images. The Health Services Executive (HSE) is responsible for this national system. The HSE Privacy Statement can be found [here](#).

### **6.10 Contractors under agreement**

Beaumont Hospital may provide or allow access to personal information for the provision of professional services to the hospital.

### 6.11 Job Application

Allowing us to manage an individual's employment, engagement or placement in Beaumont Hospital.

### 6.12 To enable research

To identify patients who might be suitable for clinical trials/research. Beaumont Hospital promotes research throughout the organisation. There are strict regulations surrounding research and how it may be conducted. Suitable participants will be giving full information about the research/trial and asked to give consent to participate as per Data Protection Act 2018 (Section 36(2)) (Health Research).

## 7 Your rights

You have a number of rights when it comes to your personal data. On receipt of a valid request to invoke one of your rights, we will do our best to adhere to your request as promptly and as reasonable possible, however, restrictions may apply in certain situations.

We have one month to reply to your request. That period may be extended by a further two months where necessary, taking into account the complexity and number of the requests.

You have the right to lodge a complaint to the Supervisory Authority.

Table 2

Dublin Office	Portarlinton Office	Phone
21 Fitzwilliam Square South Dublin 2 D02 RD28 Ireland.	Canal House Station Road Portarlinton R32 AP23 Co. Laois	+353 578 684 800 +353 761 104 800

### 7.1 Right of access

You have a right to know what information we are processing about you, the categories of data concerned, who has access to that data, how long it is being kept for and a right to request a copy of the data free of charge. For further copies requested by the data subject, we may charge a reasonable fee based on administrative costs.

### 7.2 Right to rectification

You have the right to obtain from us without undue delay the rectification of inaccurate personal data concerning him or her. Taking into account the purposes of the processing, the data subject shall have the right to have incomplete personal data completed, including by means of providing a supplementary statement.

### **7.3 Right to erasure ('right to be forgotten')**

You have the right to obtain from us the erasure of personal data concerning you without undue delay and we shall have the obligation to erase personal data without undue delay where one of the following grounds applies:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- where the use of the data is only lawful on the basis of consent, you withdraw consent to the processing and no other lawful basis exists;
- the personal data is being unlawfully processed;
- the personal data is to be erased for compliance with a legal obligation to which the hospital is subject;

### **7.4 Right to restriction of processing**

You have the right to restrict the extent for which your personal data is being used by Beaumont Hospital in circumstances where:

- the accuracy of the personal data is contested by you, for a period enabling us to verify the accuracy of the personal data;
- the processing is unlawful and you oppose the erasure of the personal data and request the restriction of their use instead;
- we no longer need the personal data for the purposes of the processing, but the data is required by you for the establishment, exercise or defence of legal claims;
- you have objected to processing pursuant to Article 21(1) pending the verification whether the legitimate grounds of Beaumont Hospital override your rights.

### **7.5 Right to object**

You have the right to object to processing of personal data where the data is non-sensitive, and being used for reasons of public interest or where the data is being used for direct marketing purposes.

## **8 Data retention**

We only keep your information for as long as is necessary for the purpose for which it was originally obtained. Please refer to Beaumont Hospital Data Retention Policy for further information and clarification.

## 9 Data Security

Beaumont Hospital will take reasonable steps to protect your personal information from misuse, interference, loss, unauthorised access, modification or disclosure. We use technology such as firewalls and encryption to keep your data safe. We also have policies and procedures for staff and vendors in relation to access control, passwords.

## 10 International Transfers

Beaumont Hospital may enter into arrangements with organisations whose business resides outside of the European Union or Economic European Area. These countries are known as ‘third countries’ as they may not may not have adopted the General Data Protection Regulation. For this reason personal data can only be transferred to ‘third countries’ under the following circumstances:

- Adequacy decision – a country outside of the EEA where the commission has decided that there is an adequate level of protection
- Subject to appropriate safeguards which may include standard contractual clauses or binding corporate rules.

Information on these transfers may be found on the Data Protection Commission website <https://www.dataprotection.ie/en/organisations/international-transfers>

## 11 Definitions / Terms Used

Table 4

Term	Definition
<b>Adequacy</b>	A third country where the commission has decided that there is an adequate level of protection
<b>Binding corporate rules</b>	means personal data protection policies which are adhered to by a controller or processor established on the territory of a Member State for transfers or a set of transfers of personal data to a controller or processor in one or more third countries within a group of undertakings, or group of enterprises engaged in a joint economic activity

<b>Biometric data</b>	means personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as facial images or dactyloscopic data
<b>Controller</b>	means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law
<b>Data concerning health</b>	means personal data related to the physical or mental health of a natural person, including the provision of health care services, which reveal information about his or her health status
<b>Genetic data</b>	means personal data relating to the inherited or acquired genetic characteristics of a natural person which give unique information about the physiology or the health of that natural person and which result, in particular, from an analysis of a biological sample from the natural person in question
<b>Personal data</b>	means 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
<b>Personal data breach</b>	means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed
<b>Processing</b>	means 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, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction
<b>Processor</b>	means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller
<b>Profiling</b>	means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements
<b>Pseudonymisation</b>	means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not

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attributed to an identified or identifiable natural person

<b>Restriction of processing</b>	means the marking of stored personal data with the aim of limiting their processing in the future
<b>Special categories of data</b>	Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, data concerning health or data concerning a natural persons sex life or sexual orientation
<b>Standard contractual clauses</b>	A specific provision or section within a written contract which defines the duties, rights and privileges of each party under the contract.
<b>Supervisory authority</b>	means an independent public authority which is established by a Member State pursuant to Article 51