

Procedure on Information and Data Protection, Usage and Management

Policy Procedure Protocol Guideline

Office of the Nursing and Midwifery Services Director (ONMSD): Consortium of Centres of Nursing and Midwifery Education (CCNME)

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1.0 Purpose

As a provider of a validated programme of which leads to a QQI award, data is processed on behalf of the learners enrolled in that programme in compliance with legal requirements under the GDPR.

2.0 Procedure

2.1 All Staff of CCNME are required to:

2.1.1 Undertake HSE LanD – ‘Fundamentals of GDPR’ e-learning module and read the following HSE or Organisation Service documents:

2.1.1.1 HSE Data Protection Policy (2019);

2.1.1.2 HSE Data Protection Summary Privacy Statement.

2.1.2 Adhere to the Protocol for Data Management when obtaining, retaining, protecting, and disposing of personal data;

2.1.3 Adhere to the eight principles of GDPR when handling learner information and data.

2.2 The CCNME will comply with the following data protection principles when handling, disclosing and storing personal data:

2.2.1 Principle of Lawfulness, Fairness and Transparency

2.2.1.1 Personal data shall be processed fairly, lawfully and in a transparent manner. Lawfulness: One of QQI’s statutory functions, detailed in the Qualifications and Quality Assurance (Education and Training) Act 2012, is to make awards to learners who complete a programme validated by QQI.

2.2.1.2 To issue awards, QQI requires a Personal Public Service Number (PPSN), name, date of birth and relevant results of each learner. This information is transferred by the CCNME, as the provider, to QQI through QQI Business System (QBS).

2.2.1.3 In this transaction the CCNME are acting on behalf of the learner with whom they have entered into an appropriate legal arrangement (including consent for data collected) that permits the transfer of this data. QQI receives the data and retains it in the pursuit of its statutory function.

2.2.1.4 The Department of Employment and Social Protection in 2020 granted the HSE permission to obtain the PPSN for the single purpose of registering the learner with QQI for the purposes of the provision of the relevant award.

2.2.2 **Fairness:** The learner is informed in the programme handbook how their data is managed and processed.

2.2.3 **Transparency:** The learner is informed of what personal data is retained, processed and for what purpose and its disposal. (Refer to Protocol for Data Management, Appendix 1).

2.2.4 Principle of Purpose Limitation

2.2.4.1 Personal data shall be obtained only for specified, explicit, lawful, and legitimate purposes, and shall not be further processed in any manner incompatible with those purposes.

- 2.2.4.2 QQI requires the CCNME as a provider, to provide the PPSN of each learner enrolled on a validated programme in order for QQI to make an award to that learner, and to retain a record of each award made to each learner.
- 2.2.4.3 As a provider this data cannot be processed, for example by accessing it or by storing it, except for the single purpose of registering the learner with QQI for the purposes of the making of the relevant award.
- 2.2.5 **Principle of Data Minimisation**
 - 2.2.5.1 Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
 - 2.2.5.2 Specific personal data is provided by the learner on programme application (Appendix 2) whether electronic or paper based (Refer to Protocol for Data Management Appendix 1).
 - 2.2.5.3 Obtain the learners PPSN at the point of registration with QQI for the purposes of QQI making an award.
 - 2.2.5.4 Personal data of the learner must not be obtained or processed for any other purpose.
 - 2.2.5.5 The CCNME will not retain any personal data beyond what is strictly required to achieve the purposes of the QQI Award.
- 2.2.6 **Principle of Accuracy**
 - 2.2.6.1 Personal data shall be accurate, and where necessary kept up to date.
 - 2.2.6.2 Maintain and secure an accurate database of learner's personal data ensuring learner results are accurate and complete.
 - 2.2.6.3 Generate accurate information and data required for internal quality management and improvement.
 - 2.2.6.4 Ensure the process of inputting learner's personal data and results to the QQI QBS is checked and cross checked by nominated CCNME staff.
 - 2.2.6.5 Information, statistical and other reports required internally and/or externally are accurate and complete.
- 2.2.7 **Principle of Storage Limitation**
 - 2.2.7.1 Personal data shall not be kept for longer than is necessary for the purposes for which the personal data are processed.
 - 2.2.7.2 Ensure hard copy files containing personal information are stored in locked filing cabinet with keys accessible only to those with authorised access.
 - 2.2.7.3 Ensure electronic files containing personal data are stored securely on an encrypted password protected network location of the nominated authorised CCNME Staff.
 - 2.2.7.4 Learner Information and Personal data should not be retained by Centres or in CCNME records once used for the sole purpose for which it was collected.

- 2.2.7.5 Retain personal information and data in compliance with the Protocol for Data Management.
 - 2.2.7.6 Do not remove files with personal information/personal data from the Centre.
 - 2.2.7.7 Store passwords for QQI Business System (QBS) in a secure location and use only if nominated as an authorised user by the Director of CCNME Programme Team.
 - 2.2.7.8 Save and store learner's assessment results on a protected network location or shared drive and not on personal storage systems prior to entering results on the QBS.
 - 2.2.7.9 Retain assessment documents until the end of the relevant QQI Certification Period and until the learner is awarded a Certificate.
 - 2.2.7.10 Destroy learner PPS number on registering the learner with QQI via confidential shredding service.
 - 2.2.7.11 Destroy computerised copies at the end of the relevant QQI Certification Period and on the learner awarded relevant certificate.
 - 2.2.7.12 Ensure records are disposed in a controlled way for e.g. use confidential shredding service and ensure a log is maintained of records destroyed.
 - 2.2.7.13 Use 'delete' and 'empty trash' functions on PC to destroy personal data held in electronic format
- 2.2.8 Principles of Integrity and Confidentiality**
- 2.2.8.1 Data shall be processed in a secure manner, which includes having appropriate technical and organisational measures in place to:
 - 2.2.8.1.1 Prevent and / or identify unauthorised or unlawful access to, or processing of data;
 - 2.2.8.1.2 Check email address prior to sending data particularly if the intended recipient shares the same or similar name with others;
 - 2.2.8.1.3 Double check email attachments prior to sending;
 - 2.2.8.1.4 Use secure email if sharing data;
 - 2.2.8.1.5 Use Bcc function on email to protect identity of recipients.
 - 2.2.8.2 Prevent accidental loss or destruction of, or damage to data through adherence to Centres QA processes:
 - 2.2.8.2.1 Report loss of mobile phone/laptop/tablet/mobile devices containing personal information to the Director of Centre and ICT department immediately;
 - 2.2.8.2.2 In the event of a possible data protection incident or breach complete the National Incident Report form (NIRF) follow the Data Breach/Incident Process as per HSE Data Breach Process Guidance 2018 or as per Organisation policy.

- 2.2.8.3 Apply clean desk policy when absent from desk and at the end of working day.
- 2.2.9 **Principle of Access**
- 2.2.9.1 Learners have the right under GDPR to access the information held about them as Data Subjects and can apply to the CCNME Data Protection Officer (DPO) /Freedom of Information to access a copy of their records.
- 2.2.9.2 Learners complete a Subject Access Request Form (SAR) obtained via www.hse.ie/eng/gdpr/sarsform.pdf
- 2.2.9.3 The Freedom of Information Officer/DPO will notify the Director of CCNME Centre of a SAR.
- 2.2.9.4 The Director of the CCNME Centre has one month to respond to information requested in a SAR.
- 2.2.9.5 Learners should have access to transcripts of results.
- 2.2.10 **Principle of Accountability**
- 2.2.10.1 The Centres shall be responsible for, and be able to demonstrate compliance with, these key principles.

3.0 Document Control

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| Supporting Documentation | <ul style="list-style-type: none"> • <i>Copyright and Related Rights Act, 2000</i>. No. 28/2000 [online]. Available from: https://www.irishstatutebook.ie/eli/2000/act/28/enacted/en/html [accessed 31 January 2022]. • <i>Data Protection Act 2018</i>. No. 7/2018 [online]. Available from: https://www.irishstatutebook.ie/eli/2018/act/7/enacted/en/html [accessed 31 January 2022]. • Data Protection Commission. <i>Data Protection Commission</i> [online]. Available from: https://www.dataprotection.ie/ [accessed 21 June 2022]. • European Association for Quality Assurance in Higher Education (ENQA). (2015). <i>Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)</i> [online]. Available from: https://www.engaq.eu/wp-content/uploads/2015/11/ESG_2015.pdf [accessed 23 January 2022]. • <i>Freedom of Information Act 2014</i>. No. 30/2014 [online]. Available from: | |

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| | <p>https://www.irishstatutebook.ie/eli/2014/act/30/enacted/en/html [accessed 31 January 2022].</p> <ul style="list-style-type: none"> • Health Service Executive. (2019). <i>Data Protection Policy</i> [online]. Available from: https://www.hse.ie/eng/gdpr/hse-data-protection-policy/hse-data-protection-policy.pdf [accessed 21 June 2022]. • Health Service Executive. <i>HSE Privacy Notice Summary</i> [online]. Available from: https://www.hse.ie/eng/services/list/3/acutehospitals/hospitals/lukeskilkenny/useful-information/hse-summaryprivacynotice.pdf [accessed 23 January 2022]. • <i>Qualifications and Quality Assurance (Education and Training) Act 2012 Updated to 18 November 2014</i>. No. 28/2012 [online]. Available from: https://www.qqi.ie/sites/default/files/media/file-uploads/Qualifications%20and%20Quality%20Assurance%20%28Education%20and%20Training%29%20Act%202012%20-%20Revised%20November%202014.pdf [accessed 31 January 2022]. • Quality and Qualifications Ireland (QQI). (2016a). <i>Core Statutory Quality Assurance Guidelines developed by QQI for use by all Providers</i> [online]. Available from: https://www.qqi.ie/sites/default/files/media/file-uploads/Core%20Statutory%20Quality%20Assurance%20Guidelines.pdf [accessed 30 January 2022]. • Quality and Qualifications Ireland (QQI). (2018a). <i>Data Protection Policy</i>. Available from: https://www.qqi.ie/sites/default/files/media/file-uploads/Data%20Protection%20Policy.pdf. • Quality and Qualifications Ireland (QQI). (2018b). <i>Data Subject Rights Policy and Procedure</i> [online]. Available from: https://www.qqi.ie/sites/default/files/media/file-uploads/DATA%20SUBJECT%20RIGHTS%20%20POLICY%20AND%20PROCEDURES.pdf [accessed 23 January 2022]. • Quality and Qualifications Ireland (QQI). (2016b). <i>QQI Sector Specific Independent/Private Statutory Quality Assurance Guidelines developed by QQI for Independent/Private Providers coming to QQI on a Voluntary Basis</i>. Dublin: Quality and Qualifications Ireland. • Secretariat of Secondary Schools. (2020). <i>GDPR for Schools</i> [online]. Available from: https://gdpr4schools.ie/ [accessed 23 January 2022]. |
| Related Policies & Procedures | <ul style="list-style-type: none"> • Policy on Public Information and Communication [PDF, 3 Pages] • Procedure on Public Information and Communication [PDF, 3 Pages] • Policy on Data Protection, Usage & Management [PDF, 7 Pages] |

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| Related Resources | <ul style="list-style-type: none">• Protocol for Data Management• QQI Registration/Certification Form• National Incident Report Form• Data Breach/Incident Process Flow• Data Protection Subject Access Request (SAR) Application Form |
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