



UL Hospitals Group

Privacy Statement

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1. Purpose

UL Hospitals Group respects your right to privacy and is committed to protecting your personal information. One of our obligations under GDPR is to be transparent with you about the collection and use of your personal information. More information about the functions and services provided by UL Hospitals Group are available in our statement of purpose on <https://healthservice.hse.ie/filelibrary/ulh/statement-of-purpose-ul-hospitals-group.pdf>

The purpose of this Privacy Statement is to explain how UL Hospitals Group collects and uses personal data for the administration of the various functions and services that fall under its remit and how you can contact the Group to make a data request.

UL Hospitals Group provides services on behalf of the Health service Executive (HSE) and thus aligns with the overall HSE's Privacy Statement <https://www2.hse.ie/privacy-statement>. Contact details for the HSE Data Protection Officers are contained therein.

In circumstances where we are responsible for deciding how we hold and use personal data about individuals, UL Hospitals Group is the Data Controller. However, where services are provided directly by a service provider, the service provider may be the data controller.

2. The information we process

To allow us to provide services to you, we collect and process various categories of personal information. By engaging with our services, you may be required to furnish information directly and you can also provide information/make an enquiry to us by telephone, letter and email. The information provided will vary depending on the services you wish to use. We may also receive your personal information from third parties, for example your GP, dentist, referring consultant.

3. Type of Information we collect

Personal data means any information relating to you which allows UL Hospitals Group to identify you such as your name, address, contact phone numbers, email address and health and social care information relating to the care and services that you received from a service provider and are pertinent to the service you will/are attending. Financial information may also be supplied, for the purpose of making a means assessment and determining eligibility to particular public health or community based schemes e.g. Fair Deal Scheme.

Please note that the information you provide to us should at all times be accurate, valid, reliable, legible and complete. In addition, please ensure that you keep us informed of any changes to your personal data (e.g. address details, Change of GP) so that we can update our records and keep them accurate.

4. Legal basis for processing

The HSE's lawful basis under the General Data Protection Regulation for processing personal data relating to UL Hospitals Group is as follows:

The processing of personal data is necessary for a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6.1(e) GDPR);

The processing of special category data is necessary:

- For the purposes of health care delivery, 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 on the basis of Union or Member State Law or pursuant to contract with a health professional and subject to conditions and safeguards (Article 9.2(h) GDPR);
- The Health Identifiers Act 2014 provides for the use of existing client identification data ("identifying particulars") for the creation and maintenance of the National Register of Individual Health Identifiers; Part 2 (sections 6 and 7(1))
- 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, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy (Article 9.2(i) GDPR). The processing is necessary for a task carried out in the public interest or in the exercise of official authority vested in the data controller (Article 6.1(e) GDPR). For the HSE, this official authority is vested in UL Hospitals Group through the Health Act 2004 (as amended) and the Health (Pricing and Supply of Medical Goods) Act 2013.
- The processing is necessary for compliance with the legal obligation under the Health Act 1970 (Sections 45, 46, 58 and 59) which obliges the HSE to make available for persons with full eligibility and persons with limited eligibility a range of public health services.
- The European Health Insurance Scheme is governed by EU regulations 1408/1971 and 574/1972 as amended by EU regulations 883/2004 and 987/2009 and provides the legal basis for exchange of data outside of Ireland under the European Health Insurance Scheme (EHIC).
- The Data Protection (Health Research) Regulations 2018 outline the mandatory suitable and specific measures for the processing of personal data for the purposes of health research. (A new Health Information Bill Health will provide for a national health information system to enhance patient care and treatment and supports better planning and delivery of health services).
- The primary data protection legislation that applies to UL Hospitals Group is the EU General Data Protection Regulation (GDPR), effective from 25 May 2018, supplemented by Irish legislation (primarily the Data Protection Acts 1988 – 2018 and the ePrivacy Regulations 2011).

5. How your personal data is used

Personal data may be used to:

- Monitor a patient on wards/ units via CCTV to maintain patient safety.
- Monitor patients, staff and members of the public via CCTV in general circulation areas e.g. corridors and public areas.
- Contact you or your spouse/partner, significant other/family in an emergency.
- Contact you or your spouse/partner, significant other/family In relation to eligibility under a scheme, and/or in relation to services received based on eligibility awarded.
- Investigate complaints, legal claims or adverse incidents.
- To inform other healthcare providers when necessary to meet your healthcare needs.
- To issue patient correspondence relating to the financial costs incurred in the provision of healthcare.
- Provide information for statistical purposes, research or planning.
- Seek reimbursement from other European and EEA countries for the cost of providing health services to you during your stay or residence in Ireland.
- Protect wider public health interest e.g. Pandemic situations.

Explicit consent is the lawful basis to use a patient's personal data in research, unless a consent exemption is sought. Where possible, the personal information is anonymised or pseudo-anonymised. Where personal data is pseudo-anonymised, the General Data Protection regulations will still apply.

6. Your Rights

You have certain legal rights concerning your information and the manner in which we process it. These include:

- A right to get access to your personal information.
- A right to request UL Hospitals Group to correct inaccurate information, or update incomplete information.
- A right to request that we restrict the processing of your information in certain circumstances.
- A right to deletion of personal information, excluding medical records.
- A right to receive personal information you provided to the Group in a portable format.
- A right to object to UL Hospitals Group processing your personal information in certain circumstances.
- A right to lodge a complaint with the Data Protection commission.

You can access your health records by making a subject access request (DSAR) and forms are available for this on the Data Requests page (<https://www.hse.ie/eng/gdpr/data-requests/%20>)

Completed forms can be submitted to requestsuhl@hse.ie or by post to Information Governance Office (IGO), Unit 2, Loughmore Avenue, Raheen Business Park, Raheen, Co. Limerick, V94 P7X9.

Please ensure that photo ID is attached.

We may need to contact you to request specific information to help us confirm your identity. Where a request for access is made and the identified records contain personal data relating to other individuals, their consent will be sought to release their personal data to you (including where the individual is a spouse or partner and has previously submitted information to us jointly with you, this data may be redacted). Please note 3rd party personnel information will be redacted where appropriate.

It should be noted that data subject rights are not absolute in all circumstances and have to be balanced against legal obligations placed on UL Hospitals Group. In all cases where a subject access request is made we will issue a decision letter setting out the basis of the decision. If your request is refused, we will give the reasons why we cannot comply with your request where, for example, the right to erasure may not be granted if it is necessary to retain your health data for reasons of substantial public interest.

Disclosure of Information: you have a right to restrict how we share your personal information. You also have the right to restrict with whom it is shared with. This must be noted explicitly within your records, so that all health professionals treating you and involved in your care, are aware of your decision. We advise you to discuss this with your Clinical team. You can change your mind at any time about a disclosure decision.

7. Will my information be processed overseas/outside the European Economic Area (EEA)

While UL Hospitals Group operates within the European Economic Area (EEA), some of the management and support maybe required/provided by HSE suppliers from countries outside the EEA. It may occasionally be necessary for these HSE suppliers to process data in countries outside of the EEA.

UL Hospitals Group may transfer your personal data overseas where there is a legal basis to do so. For example, under the European Regulations, in order for the Irish state to claim back costs for healthcare and services provided in Ireland, we may need to provide details of your EHIC card and the cost of the health services you received to other EEA countries. (The UK currently has an adequacy decision in place, which facilitates the safe transfer of data between the EU and the UK).

8. How your data is kept secure

We are committed to ensuring that your information is kept secure – by us and by any data processor contracted to act on our behalf. We have a number of security provisions in place to prevent the loss, misuse or alteration of your information and UL Hospitals Group staff will only access your personal data on a need to know basis. All staff working for UL Hospitals Group have a legal duty to keep information about you confidential and all staff are trained in information security and confidentiality. We have also put in place procedures to deal with any suspected personal data breaches that may occur, and we will notify you and any applicable regulator of a breach where we are legally required to do so.

9. Retention Policy

UL Hospitals Group will only retain information for as long as necessary. Records are maintained in accordance with the HSE's Retention Policy. The HSE Record Retention Policy is published on the HSE website at:

[Record Retention Periods Policy \(PDF, 379KB, 71 pages\)](#). When the HSE no longer needs your personal data, they securely delete or destroy your personal data.

10. Contact Details

If you have any queries in relation to your personal information held by UL Hospitals Group or you wish to make a Subject Access Request, please contact our Data Protection Advisor, at Information Governance Office, Unit 2, Loughmore Avenue, Raheen Business Park, Co. Limerick, V94P7X9 Email: IGO.ULHG@hse.ie

11. Making a Complaint

In the event that you wish to make a complaint about how your personal data is being processed by the UL Hospitals Group, or how your complaint has been handled, you have the right to lodge a complaint directly with the Data Protection Supervisory Authority and the HSE Data Protection Officer:

Data Protection Supervisory Authority – (www.dataprotection.ie)

The HSE data protection officer (DPO) can be contacted directly by email at dpo@hse.ie.

12. Review

This Privacy Statement will be reviewed annually and updated as appropriate to reflect any changes to our organisation structure and business practices or to the laws governing data protection.