



Cork Centre for Independent Living Limited

# Cork Centre for Independent Living (Cork CIL) Data Protection Privacy Policy

<b>Date</b>	<b>Review</b>	<b>Mgt. Lead</b>	<b>BOM Lead</b>
April 2018	April 2019	PB	CM

## Overview

Cork CIL must comply with all applicable data protection privacy and security laws and regulations. Cork CIL respects your rights to privacy and to the protection of your personal information. The purpose of this policy is to explain how we collect and process your personal information for the provision of services and the day to day running of Cork CIL.

## Scope

This policy covers information on how we collect, process and keep secure personal data about Service Users and applies to ALL staff, external contractors, volunteers and our Service Users.

Cork CIL collects, stores and process information from past, present and potential future users of Cork CIL services. We also collect and use information including from people who wish to be included in the HSE Assisted Living Services Waiting List, those who wish to join as Cork CIL Members and those who join the Travel Club. Cork CIL will check regularly that applicants wish to remain on waiting / membership lists.

## The Information We Collect

Cork CIL is provided with information from the HSE and other referrers when you apply for services. We also collect and store information of applicants who agree formally to be placed on our waiting list for services You also provide us with information directly when you apply for other supports and as your service needs develop and change over time.

To allow us to provide services to you we collect and process various categories of personal information. Information we collect may include:

- Personal details; name, address, date of birth, next friend, etc.
- Notes, reports and referrals about your health, your disability and your specific service needs
- Relevant Information from other health and social care professionals your carers or relatives

We may also process certain special categories of information which may include gender; racial or ethnic origin; religious or philosophical beliefs; data concerning health, or data concerning sexual orientation. Processing of such personal data is prohibited unless one of the specified exemptions applies. In the case of Cork CIL processing of special categories of information is demonstrated as necessary for the purposes of the provision of healthcare and social care and the management of Cork CIL services.

## Legal Basis for Data Processing

Data Processing 'shall be lawful only if and to the extent that at least one of the following 6- six lawful grounds for processing personal data applies':

1. Consent the data subject has given consent to the processing of his or her personal data for one or more specific purposes.
2. Contract processing is necessary for the performance of a contract to which the data subject is party or to take steps at the request of the data subject prior to entering into a contract.
3. Legal Obligation processing is necessary for compliance with a legal obligation to which the controller is subject.

4. **Vital Interest** processing is necessary to protect the vital interests of the data subject or of another natural person.
5. **Public Interest** processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
6. **Legitimate Interest** processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, where the data subject is a child.

### **Special Categories of Data**

Special categories of data are defined by the GDPR and include things like racial or ethnic origin, religious or philosophical beliefs, genetic data, biometric data, health data, sex life details and sexual orientation.

Cork CIL will only process special categories of personal data where it is necessary:

- for the purposes of preventative or occupational medicine,
- for the assessment of the working capacity of an employee,
- for medical diagnosis,
- for the provision of healthcare, treatment or social care,
- for the management of health or social care systems and services, or
- pursuant to a contract with a health professional.

Processing is lawful where it is undertaken by or under the responsibility of

- a health practitioner, or
- a person who in the circumstances owes a duty of confidentiality to the data subject that is equivalent to that which would exist if that person were a health practitioner. e.g. the service manager, the administrator, the co-ordinators or PA's.

If the purpose of the processing is for a reason other than the reasons above, Cork CIL will seek explicit consent to process your sensitive personal data.

### **What do we use your information for?**

Any of the information we collect from you may be used in one of the following ways:

We use your information for several reasons:

- Accurately maintain data bases including the Service User & Staff Information System, the Assisted Living Service Waiting List, Cork CIL Membership Register and Travel Club Membership
- To provide the best services we can as safely as we can, supporting the planning and delivery of your services
- To monitor services and activity
- Investigate complaints, legal claims or adverse incidents
- For recording and statutory reporting as required
- Provide information for planning so we can meet future needs for health and social care services
- Provide information to prepare statistics on Health and Service performance

- Protect wider public health interests
- Provide training and development
- To check every now and then that you're happy and satisfied.
- Remind you of service schedules and appointments by text or email

Cork CIL also provides statistical information to other organisations such as the HSE, Department of Health and DEASP. Cork CIL will make sure that you cannot be identified by anonymising the information. If it is not possible to anonymise the information, you will be contacted for your consent

Cork CIL will only use your information for the reason it was collected.

### **How Cork CIL protects your information**

Cork CIL has implemented a variety of security measures to maintain and safeguard your personal information.

We use a secure server so that all your information is held securely. Our Back-up and recovery system is provided by 'Keep It Safe'. All data is digitally encrypted and stored in the State. Our data is backed up every day and emails are backed up twice a day. Our server is in a locked cabinet.

Cork CIL takes, and will continue to take, all reasonable steps (which includes relevant technical and organisational measures) to guarantee the safety of the data you provide to us and we will only use the data for the intended purpose.

Information available from our server is rights restricted. This means that only certain staff with the authority can view your information.

All hard copy information is stored in locked cabinets and when the building is empty the room is locked.

All keys are stored in a locked key cabinet

Information not in use and not required to be stored is destroyed by shredding in cross cutting shredder.

Please ask to see a copy of our Data Protection Policy.

### **Sharing Information**

Information including sensitive information may be shared with authorised staff in the HSE, Tusla, An Garda Síochána but Cork CIL will not pass your details to other agencies without your knowledge and consent.

Cork CIL may also release your personal data where compliance with legal requirements is a necessity.

Cork CIL does not share, or otherwise transfer to outside parties your personally identifiable information. This does not include trusted third parties who assist us in operating our IT systems, our website, conducting our business, or to provide services to you, so long as those parties agree to keep this information confidential as part of their contract with Cork CIL.

Cork CIL may share anonymised personal information with other organisations, particularly HSE, DSP DFI & Dublin CIL who use this to analyse our services but this will not contain any identifiable information.

## Retaining Information

Cork CIL has a responsibility to retain certain information. The length of time that this information must be retained varies. The details of these retention periods prescribed and aligned with the HSE retention periods. This is detailed in the Cork CIL Retention Policy 2018.

## Yours Rights

You have certain legal rights concerning your information and the way we process it. This includes:

- a right to get access to your personal information;
- a right to request us 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 request the deletion of personal information excluding medical records
- a right to receive the personal information you provided to us in a portable format;
- a right to object to us processing your personal information in certain circumstances; and
- a right to lodge a complaint with the data protection commissioner.

## Access to your Service Records

You can access your service records by making a Subject Access Request (SAR). Forms are available for this purpose at [www.corkcil.ie](http://www.corkcil.ie) or by calling the office 021 432 2651 or by email request to [Data\\_SAR@corkcil.ie](mailto:Data_SAR@corkcil.ie) . It is important that you provide satisfactory evidence of identification and a sufficient description of the data that you are looking for. The form will prompt you

## Contact Details

Please contact our Data Protection Officer:

- If you have any queries in relation to Data Protection or other issues around the security of your personal information
- For more information about the steps we are taking to protect your information
- For more information about your rights, including the circumstances in which you can exercise them and how to exercise them
- If you wish to raise a complaint on how we have handled your personal information, you can contact our Data Protection Officer who will investigate the matter.

We hope that we can address any concerns you may have.

Data Protection Officer Cork CIL  
Pat Beirne, [pat.beirne@corkcil.ie](mailto:pat.beirne@corkcil.ie)  
021 4322651