



Blackrock Clinic

INFORMATION ON
PATIENT PRIVACY



Protecting Your Data
*in a Safe and
Confidential manner*

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1. Introduction

The Blackrock Clinic (BRC) is committed to protecting all personal patient data, which we collect during patient treatment.

This Notice sets out the types of data we collect and how we capture, use and protect all personal data which BRC collects and stores during the course of patient treatment. We also want you to be clear as to what rights you can invoke in respect to your information, as a patient of BRC.

In this regard, it is important that you read this Privacy Notice and understand our use of your personal data.

Please note that we reserve the right to update this Privacy Notice as required. The most recent version of this document can be found on our website: www.blackrock-clinic.com

1.1 Company Information

References to “BRC”, “us”, “our” and “we” refer to Blackrock Clinic Ireland Limited, and any associated companies from time to time. More information about BRC can be found at: www.blackrock-clinic.ie

1.2 Legislation

All personal data we gather will be “processed” in accordance with all applicable data protection laws and principles, including the EU General Data Protection Regulation 2018 and the applicable Irish Data Protection Acts.

1.3 Queries and Complaints

If you require further information about the way your personal data will be used, or if you are unhappy with the way we have handled your personal data, and wish to contact us please submit your concerns to: DPO@Blackrock-clinic.com

The DPO@Blackrock-clinic.com mailbox is managed by the BRC DPO function and all correspondence received will be addressed accordingly, including support from the designated BRC Data Protection Officer.

You have the right to lodge a complaint with the Office of the Data Protection Commissioner. To contact the Office of the Data Protection Commissioner, please use the following details:

Data Protection Commissioner

Canal House, Station Road, Portarlinton, County Laois

Telephone: +353 (0)761 104 8000 Telephone: +353 (0)57 868 4800

Email: info@dataprotection.ie LoCall Number: 1890 252 231

Fax: +353 (0)57 868 4757

Please note that we will take all appropriate steps to keep your personal data safe. In the unlikely event that we have a security breach, we will notify you without undue delay about the circumstances of the incident as required with our legal obligations.

2. How do we collect information?

We collect personal data to provide our services to you. This data may be collected directly by our staff or by medical consultants, GPs, or other healthcare professionals who refer you to BRC, or are involved in your treatment.

Sometimes we may request that other healthcare providers, such as other hospitals and pharmacies, provide us with data relating to you in order to improve the quality of our service to you.

In cases of emergency, we may receive your data from emergency services, such as the Gardai, the ambulance services or the fire brigade services. Once again, we receive this data purely for the purpose of ensuring the service we provide to you is of the highest standard.

3. What do we use information for?

We use your personal data so that we can provide past, current and future BRC patients with the highest quality of healthcare possible.

We work closely with selected partners who help us to provide you with services which we do not have the capability to provide independently.

Specifically, we may use the personal data we gather for any or all the following purposes:

PROCESS	DESCRIPTION	LAWFUL BASIS FOR PROCESSING
Admissions and Bookings	<p>We collect data regarding admission to the hospital in the form of admission and general consent forms which you may be requested to complete.</p> <p>The data we collect at this point is necessary for hospital administration and admission and to provide the patient with the healthcare they wish to receive.</p> <p>This data will be used throughout the patient's treatment in order to book theatres, patient rooms, diagnostics and to facilitate efficient scheduling.</p>	<p>The use of the data is necessary for the performance of a contract to which the patient is party or to take steps at the request of the patient prior to entering a contract.</p> <p>The use of the data is necessary to protect the vital interests of the patient or of another natural person.</p> <p>The use of the data is necessary for provision of health care or treatment pursuant to a contract with a health professional.</p>

PROCESS	DESCRIPTION	LAWFUL BASIS FOR PROCESSING
Insurance and payment details	<p>Patient data collected on admission will be used to verify insurance cover with the patient's insurer or other third party responsible for the payment of treatment.</p> <p>Patient data may also be shared with third party billing agencies contracted by consultants or other healthcare professionals involved with patient treatment.</p>	<p>The use of the data is necessary for the performance of a contract to which the patient is party or to take steps at the request of the patient prior to entering a contract.</p>
Document Patient Data During Treatment	<p>We document data regarding each patient's treatment and progress on our various systems as well as on paper documents which are stored in each patient's medical record and in other locations.</p> <p>Patient data may also be used for clinical audit and quality purposes.</p>	<p>The use of the data is necessary for medical diagnosis and for the provision of health care or treatment pursuant to a contract with a health professional.</p>
Generating Prescriptions and Ordering Medication	<p>Patient data is used to accurately prescribe and administer the medication required as part of your treatment.</p> <p>BRC is often required to order medication from external providers for this purpose.</p>	<p>The use of the data is necessary for medical diagnosis and for the provision of health care or treatment pursuant to a contract with a health professional.</p>

PROCESS	DESCRIPTION	LAWFUL BASIS FOR PROCESSING
Reporting Infectious Diseases	<p>All medical practitioners, including clinical directors of diagnostic laboratories, are required to notify the Medical Officer of Health (MOH) / Director of Public Health (DPH) of certain notifiable diseases.</p> <p>The list of notifiable diseases is available on the HPSC website: https://www.hpsc.ie/.</p>	<p>This information is used to prevent the spread of infection, facilitating the early detection of outbreaks.</p> <p>It is also used to monitor the burden and changing level of diseases, which can provide evidence for public health interventions such as immunisation.</p> <p>This is completed in accordance with infectious disease regulations.</p>
Multi-Disciplinary Team Meetings	Data may be shared with external healthcare specialists who will discuss patient symptoms and ensure patient treatment is based on best practice.	<p>This is necessary for medical diagnosis and for the provision of health care or treatment pursuant to a contract with a health professional.</p> <p>In accordance with the Health Act 1997.</p>
National Cancer Registry Ireland	The data of patients receiving treatment for cancer will be shared with the National Cancer Registry Ireland.	<p>The data is used to monitor trends and outcomes in different cancer types.</p> <p>In accordance with Statutory Instrument 19 of 1991.</p>
Reporting to the National Haemovigilance Office (NHO)	Any serious adverse reactions, event or near miss involving blood products is reported to the NHO.	<p>The use of the data is necessary to ensure high standards of quality and safety of health care.</p> <p>In accordance with both EU and Irish legislation.</p>
Handover Sheets	Notes on patient wellbeing and status are documented to facilitate handovers among BRC nursing staff at shift changes.	The use of the data is necessary for medical diagnosis and for the provision of health care or treatment pursuant to a contract with a health professional.

PROCESS	DESCRIPTION	LAWFUL BASIS FOR PROCESSING
Patient Discharge	<p>Data is recorded on discharge forms including prescriptions and discharge letters.</p> <p>Post-treatment, results and procedural details are sent to the referring healthcare professional to inform them of their patient's progress and to facilitate the provision of ongoing healthcare.</p> <p>We may also liaise with your next of kin or other designated persons with respect to discharge arrangements, where necessary.</p>	<p>The use of the data is necessary for provision of health care or treatment pursuant to a contract with a health professional.</p> <p>The use of the data is necessary to ensure high standards of quality and safety of health care.</p> <p>The use of the data is necessary to protect the vital interests of the patient, where the patient is incapable of giving consent.</p>
Generating Invoices for Treatment	<p>On completion of treatment, patient medical records are used to ensure the patient is accurately billed by BRC, consultants and other healthcare professionals for treatment received at the Clinic.</p> <p>Third-party billing consultants are engaged in order to generate invoices on behalf of hospital consultants.</p>	The use of the data is necessary for the performance of a contract to which the patient is party or to take steps at the request of the patient prior to entering a contract.
Patient Satisfaction Survey	<p>On completion of your care at BRC, we may contact you using the details which you provided, and request that you complete our patient satisfaction survey.</p> <p>Third party market research consultants are engaged for this purpose.</p>	The use of the data is in our legitimate interests to improve the quality of the healthcare which we provide.

PROCESS	DESCRIPTION	LAWFUL BASIS FOR PROCESSING
Ongoing Monitoring of Implanted Devices	<p>Patients will often be asked to return to the clinic in order for us to monitor the patient's condition post-implantation.</p> <p>Some implanted cardiac devices are remotely monitored from external databases.</p>	<p>The use of the data is necessary for provision of health care or treatment pursuant to a contract with a health professional.</p> <p>The use of the data is necessary to ensure high standards of quality and safety of health care.</p> <p>The use of the data is necessary to protect the vital interests of the patient, where the patient is incapable of giving consent.</p>
Transfers to an Alternative Healthcare Provider	When a patient engages an alternative healthcare provider, the patient or the healthcare provider (on the patient's behalf) will be provided with a copy of the patient's medical record.	The use of the data is necessary for medical diagnosis and for the provision of health care or treatment pursuant to a contract with a health professional.
Retention of Tissue Samples	Patient tissue samples are labelled with patient data and retained in the clinic laboratory.	<p>The use of the data is necessary to ensure high standards of quality and safety of health care.</p> <p>In accordance with the Terms and Conditions of the National Accreditation Board and the Royal College of Pathologists' Guidelines.</p>
Handling Enquiries	<p>General enquiries are received from patients, patient relatives, and other members of the public.</p> <p>Patient data will only be disclosed on completion of identity verification.</p>	<p>The use of the data is in our legitimate interests as a healthcare provider.</p> <p>The use of the data is necessary for the management of health services.</p>

PROCESS	DESCRIPTION	LAWFUL BASIS FOR PROCESSING
CCTV Footage	CCTV cameras are in operation both inside and outside of the clinic in order to protect our staff, patients and property.	The use of the data is in our legitimate interests as a healthcare provider.
Contractor Visitor Sign-In	Visitor data is recorded at our reception to keep a log of external parties who are operating within the clinic (e.g. external contractors, students, and medical device representatives).	The use of the data is in our legitimate interests as a healthcare provider.
Investigate Complaints	Where complaints are received from patients or other members of the public we will process the necessary data in order to investigate the complaint.	<p>The use of the data is necessary for the management of health services.</p> <p>The use of the data is necessary to ensure high standards of quality and safety of health care.</p>
System Maintenance	<p>Sometimes patient data may be accessed during system repairs and updates, as required.</p> <p>Patient data will also be used in order for the Clinic to maintain system back-ups in the event of an IT system failure.</p>	<p>The use of the data is necessary for the management of health services.</p> <p>The use of the data is necessary to ensure high standards of quality and safety of health care.</p>
Call Recording	Telephone calls made to our enquiries line are sometimes recorded for quality purposes.	<p>The use of the data is in our legitimate interests as a healthcare provider.</p> <p>The use of the data is necessary to ensure high standards of quality and safety of health care.</p>
Wi-Fi	We provide a free Wi-Fi service for staff and public use but we do not collect any personal data when providing this service.	This process does not require a lawful basis as no personal data is captured.

4. Who do we share information with?

There are various circumstances in which we may share personal data with other parties. Generally, this includes your representatives, our representatives, and some pre-advised third parties.

We may occasionally disclose your information to the following categories of companies or organisations to which we handover the responsibility to handle services on our behalf:

- Any medical consultants involved in your treatment at BRC
- Any party which you have given us permission to speak with (family, friends or otherwise) regarding your treatment
- Your next of kin, where you are not in a situation to grant us permission
- GP’s and other healthcare professionals involved in your treatment
- Healthcare specialists whose opinion may aid us in effective medical diagnosis and / or treatment
- Healthcare providers engaged to assist with your treatment (certain providers have facilities which assist us in providing you with efficient and effective treatment)
- Your health insurer (or their representative) or any other third-party provider with whom you have an agreement to cover the cost of your treatment
- Billing agencies engaged by your consultant or other healthcare professionals involved in your treatment
- Legal representatives, as necessary
- Statutory bodies and health boards as required by EU and Irish law

We take steps to ensure that any third-party partners who handle your information comply with data protection legislation and protect your information to the same extent as we do. We only disclose personal information that is necessary for them to provide the service that they are undertaking on our behalf. We will aim to anonymise your information or use aggregated non-specific data sets where possible.

On occasion we may transmit your data outside of the European Economic Area. In such circumstances, we will ensure that the data is transferred in a secure manner, in accordance with data protection legislation and with your consent.

If you would like more information about the relevant safeguards in place for the transfer of personal data to countries or companies outside the European Economic Area, please contact us using the details outlined in Section 1 above.

5. What type of information is collected?

As a healthcare provider we need to collect many categories of personal data about our patients, the majority of which is highly sensitive in nature.

While the type of personal data we process may change occasionally, we believe it is important that you are aware of the types of personal data we gather and use. The following table is a non-exhaustive list of the categories and types of personal data we use to perform our duties.

Please note that the information listed under one category may be used for the performance of a task, or in relation to activities listed under another heading or as outlined in Section 3 above.

REASON	TYPE OF DATA COLLECTED
Admissions	Contact details, date of birth, next of kin details, medical history, reason for admission, family medical history, GP details, health insurance / payment details, nationality and religious beliefs can be volunteered by patient.
Referrals	Contact details, date of birth, treatment for which patient is being referred, MRN, GP details/details of referring party, family medical history.
During Medical Diagnosis / Treatment	Medical data relating to current and past treatment.
Quality Improvement	Patient feedback, enquiries received, log of calls received, log of complaints received, clinical incident forms submitted.
Clinic Security	CCTV footage, visitor sign-in logs.

6. How long do we retain information?

We only keep your information for as long as is necessary for the purpose for which it was originally obtained. Please note that the retention periods for medical information are defined on a case-by-case basis as required for the provision of healthcare to the patient. In this regard, retention periods for medical information will be defined based on the individual circumstance of each patient. We will take all necessary steps to ensure that the privacy of information is maintained upon disposal.

7. What are 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 as reasonably possible, however, restrictions may apply in certain situations.

Where do I send requests?

Please send all your requests to the contact details provided in Section 1, with as much detail as possible regarding your requirements to enable us to deal with your request efficiently. To answer your request, we may ask you to provide identification for verification purposes.

How long will a request take to complete?

Upon receipt of a request, we will have 30 days to provide a response, with an extension of two further months if required. If we require more time to deal with your request, we will notify you of the delay, and the factors responsible for the delay, within 30 days of the receipt of the request. If we refuse your request, we will notify you within 30 days of the receipt of the request accompanied by the reason for refusal.

You are entitled to contact the Office of the Data Protection Commissioner if we refuse your request.

How much does it cost to submit a request?

We will not charge a fee for any requests, provided we do not consider them to be unjustified or excessive. If we do consider these to be unjustified or excessive, we may charge a reasonable fee (also applicable for multiple copies) or refuse the request.

Right of Access

You have a right to know what personal data we hold on you, why we hold the data, and how we are using the data.

When submitting your request, please provide us with information to help us verify your identity and as much detail as possible to help us identify the information you wish to access (i.e. date range, subject of the request).

Identity verification will require a copy of your photographic ID, as well as the provision of three unique identifying factors from your medical record.

If the request is submitted by a third party (such as a solicitor) on your behalf, the request will be required to include written authorisation from you for the provision of a specific data to the third party.

Right to Rectification

You have a right to request that the personal data held in relation to you is up to date and accurate.

Where information is inaccurate or incomplete, we encourage you to contact us to have this information rectified. Upon receipt of your request, we will ensure that the personal data is rectified and as up to date as is reasonably possible.

Right to Erasure

You have the right to seek the erasure of personal data relating to you in the following circumstances:

- The personal data is no longer required for the purposes for which it was obtained.
- 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 used unlawfully.
- You object to the use of your personal data and there are no overriding legitimate grounds for the use of the data
- Your personal data requires deletion in line with legal requirements.

However, we will be unable to fulfil an erasure request if the personal data is required for the treatment of an active patient. We will also not be able to delete data which is being held in the public interest, such as for protecting against cross-border threats or ensuring high standards of quality and safety of health care.

Please be aware that in certain circumstances we may need to retain some information to ensure your preferences are respected in the completion of our duties. For example, we cannot erase all information about you where you have also asked us not to send you marketing material. Otherwise, your preference not to receive marketing material would be erased.

Right to Restriction

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

- You believe the personal data is not accurate (restriction period will exist until we update your information).
- The processing of the personal data is unlawful but you wish to restrict the use of the data rather than erase it.
- Where the personal data is no longer required by us but you require the retention of the data for the establishment, exercise, or defence of a legal claim.
- You have a pending objection to the future use of your personal data.

When the use of your data has been restricted, your personal data will only be further used: with your consent; for the establishment, exercise or defence of legal claims; for the protection of the rights of other people; or for reasons important to public interest, such as for protecting against cross-border threats or ensuring high standards of quality and safety of health care.

We will contact you to confirm where the request for restriction is fulfilled and will only lift the restriction after we have informed you that we are doing so.

Right to Data Portability

You have the right to the provision of all personal data, which you provided to us, provided to you in a structured, commonly used and machine-readable format where:

- The lawfulness of the use of your personal data by us is reliant on the basis of a contract.
- The lawfulness of the use of your personal data by us is reliant on the provision of your consent.
- The data is being utilised by fully automated means.

You may also request that we send this personal data to another legal entity where technically feasible.

We will only refuse such a request if the data being requested may adversely affect the rights and freedoms of others.

Right to Object

You have the right to object to the further use of your personal data where:

- The lawfulness of the use of your personal data by us is reliant on the basis of our legitimate interests.
- Where the data is non-sensitive, and being used for reasons in the public interest.
- Where the data is being used for direct marketing purposes.

If you wish to object to the use of your data, please contact us with your request. We will then stop using the data of personal data unless it is required for legal proceedings.

Right not to be subject to Automated Decision Making, including Profiling

You have a right not to be subject to a decision based solely on automated processing or profiling, where such decisions would have a legal effect or significant impact on you.

Currently, we do not employ any systems which use automated decision making or profiling on data relating to our patients.

Where we (or one of our third-party processors) use profiling, which produces legal effects for you or otherwise significantly affects you, you will have the right to object to such processing.

8. Cookies

BRC respects the privacy of all visitors to our websites. Our website employs cookies in order to operate effectively, more information on how our website uses cookies can be found at: www.blackrock-clinic.ie/privacy/





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