



St. Michael's House

St. Michael's House Privacy Statement

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Effective From:	October 2019
Reviewed:	
		Signed: <i>David Dunne, Interim C.E.O.</i>
Next Review Date:	2022
Distributed To:	All Organisation
Monitoring Mechanism:	Data Protection Officer

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1. Purpose

St. Michael's House must comply with all applicable data protection, privacy and security laws and regulations in the locations in which we operate. We respect your rights to privacy and to the protection of your personal information. The purpose of this privacy notice is to explain how we collect and use personal information for the provision of our services and the day to day running of St Michael's House.

2. Who we are:

St. Michael's House is a company limited by guarantee (company number: 27628) and is a registered charity (CHY5692, CRA 20008932). The registered address is St. Michael's House, Ballymun Road, Ballymun, Dublin 9. St. Michael's House is funded by the Health Service Executive as a Section 38 Body under the Health Act 2004.

St. Michael's House provides a comprehensive range of services and supports to men, women and children with intellectual disabilities and their families in 170 locations in the greater Dublin area. The supports include:

- Residential and independent living
- Day supports
- Vocational training services
- Respite supports
- Clinical supports

In the course of providing these services we collect personal data and special category personal data about people who use our services. We also process personal information in relation to other activities relating to the management of staff, volunteers, procurement, contractors, fundraising, staff training, research, office administration, finance and Human Resources administration including payroll and recruitment. We have a legal obligation to provide information to the HSE, HIQA and Tusla.

3. Categories of Data we Process

“Personal data” means any information about an individual from which that person can be identified. It does not include data where the identity of the individual has been removed (anonymous data).

“Special categories” refers to more sensitive personal data which requires a higher level of protection. This includes Health and Social Care data.

St. Michael’s House collect and process various categories of personal information. Information we collect may include:

- Personal details about people who use our residential, respite, day and clinic services: such as contact names, date of birth, address, next of kin, telephone numbers email, country of birth, photographs, videos, attendance records, medical card number, social preferences, sleep and spiritual needs, clinical needs, daily records and personal planning records.
- Relevant information from other health and social care professionals, including information on diagnosis and assessments, interventions and supports, individual profile and assessment of need, risk assessments and other relevant information relative to personal care needs.
- Other relevant information in relation to finances/bank statements, accident/incident reports and correspondence between services/professionals.
- Human Resources process and collate data relevant to employees as follows: staff addresses, contact details, email, date of birth, country of birth, gender, contract, bank details, pension record, tax, social welfare, occupational health data, absences including Statutory Leave, accident and incidents and records of investigations. Data relative to recruitment processes; Application forms, CVs, References, Gardaí vetting declarations, professional qualifications and registrations.
- Staff trainers retain data of name, identifier and attendance sheet.
- Administration and Finance process contact names, contact details, tax identifiers (e.g., VAT number for service providers), bank details, legal claims, data associated with accounts receivable or accounts payable.
- We process CCTV recordings for the purpose of maintaining security.
- We process contact names, telephone numbers, addresses, email, social media identifiers, photographs and videos for the purpose of communications and fundraising.

4. How do we collect your information?

- We may obtain your information from a variety of sources, including information you give to us when you avail of our services or where it is provided to us by a third party, for example other health care professionals, i.e., your dentist, your social worker/clinician, pharmacist, carer, etc.
- We may obtain your information if you apply for a position in St. Michael's House or contact us to volunteer
- We may obtain your information if we complete a business transaction with you as a supplier of products or services

5. How we use Your Information:

- To provide you with Health and Social Care Services where you are a service user and to review the care we provide for you to ensure it is of the highest standard
- To fulfil our responsibilities as an employer where you are a staff member
- To create a candidate profile for you if you are a job applicant
- To communicate with you
- To investigate complaints, legal claims or adverse incidents
- To carry out fundraising to support the financial sustainability of our organisation
- To set you or your company up as a supplier on our systems
- To administer and improve our site and for internal operations including data analysis, testing, research, statistical and survey purposes
- To deliver information about our services and our organisation where you have subscribed to receive same.

6. The legal basis for processing special categories of Personal Data

St. Michael's House legal basis for the processing of **special categories of Personal Data** is as follows:

- The processing is necessary for the provision of health and social care supports and for the purposes of medical diagnosis.
- The processing is necessary in order to protect your vital interests or that of another person where you are physically or legally incapable of giving consent.
- Processing is necessary for the performance of a contract which you have entered into with us or to take steps at your request prior to entering into a contract.
- That you have provided consent for the processing for one or more specified purposes such as marketing, for example, when you subscribe to our newsletter or opt to receive information from us in respect of our organisation.

7. Who do we share your information with?

Within St Michael's House, the clinical information collected by a healthcare professional or staff member authorized to process your data is not passed on to others, unless it is considered necessary for your health or social care needs.

We may share your personal data and where necessary, special categories of personal data, with selected third parties as listed below* including suppliers and contractors in order to provide you with our services. For example these suppliers may include our web hosting provider and our IT service providers.

In addition we may disclose your personal information (including special categories of personal data) to third parties:

- Where we are under a duty to disclose or share your information in order to comply with any legal obligation, or to protect our rights, property, safety, clients or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

- With St Michael's House Housing Association where you are a residential tenant of that organisation or have sought to become one
- Where solicitors or your elected power of attorney have your written authorisation to be provided with the personal data we hold about you.

Third Party Name	Description of Services Provided
Other companies in the St. Michael's House group	In order to operate our organisation effectively
Progressing Disabilities Partner organisations	To support the provision of Children's Services
HIQA	Legal obligation to ensure compliance with regulation
HSA	Legal obligation to report workplace injuries
HSE	Legal obligation to report on specific areas, safeguarding/Finance requirements/Aids and Appliance orders
Health Research Board	Legal obligation to keep the National Ability Supports System database up to date
Child and Adolescent Mental Health Services (CAMHS)	Provision of health care and services to service users
Residential Tenancies Board	In fulfilment of our role as an Approved Housing Body.
Local Authorities	In fulfilment of our role as an Approved Housing Body.
Nursing agencies	Provision of health care and services
IT/Software Providers	Cloud service providers IT data centre provider IT service provider Software for processing donation payments Software for processing online credit/debit card donation payments
CCTV providers	Provision of CCTV equipment and services

Third Party Name	Description of Services Provided
Law firms	Legal services
AIB	Banking Services
Deloitte	Audit and accounting services
Revenue Commissioners	Legal obligation to disclose certain information
Corporate Health Ireland	Pre-employment medicals/occupational health assessments
An Gardaí Síochána	Law enforcement
Miscellaneous photographers, venues corporate partners, trade unions, professional bodies	For operational purposes in connection with fundraising events, payment of subscription fees
Other Statutory bodies relevant to the provision of supports	Provision of Health care and access to services i.e. chemist, colleges etc.
Service providers whom St Michael's House subcontract to provide to provide essential services	For operational purposes access to services i.e. transport

***We reserve the right to update the list as the need arises**

8. How do we keep your records secure and confidential?

We are committed to ensuring that your information is secure with us. We have a number of security precautions in place to prevent the loss, misuse or alteration of your information. All staff working for St Michael's House have a legal duty to keep information about you confidential.

Do we transfer your information outside the European Union or the European Economic Area?

Your information is stored on secure systems within St. Michael's House premises and with providers of secure information storage. We may transfer or allow the transfer of information about you and your services with us to our service providers located outside the European Economic Area (EEA), but only if they agree to act solely on our instructions and protect your information to the same standard that applies in the EEA.

9. How long do we keep your information?

St Michael's House in accordance with our obligations, keeps personal data and special category personal data for a range of periods. Our current retention periods are based on;

- Statutory obligations for example we are required to keep records created under childcare legislation indefinitely
- Contractual obligations, for example, we are required to keep records for a certain period as provided for in contracts with service providers like IT services
- Quality assurance/best practice obligations set by state entities or regulatory bodies in particular the HSE Policy 2013 on Retention of records available at: <https://www.hse.ie/eng/services/list/3/acutehospitals/hospitals/ulh/staff/resources/pppgs/rm/recret2013.pdf>
- Our view that retention is necessary for the original purpose or a compatible purpose
- On a case by case basis, records may be retained for longer where they are required for actual or potential legal actions or the management of mitigation of operational or strategic risks to St Michael's House. Where records are subject to this kind of review the ongoing retention will be assessed annually.

We will only retain information for as long as necessary. Records are maintained in line with the recommendations of the HSE retention policy, which can be found at <https://www.hse.ie/eng/services/yourhealthservice/info/dp/recordretpolicy.pdf>

10. Your Rights

You have certain rights concerning your information and the manner in which we process it. This includes:

- The **right of access** your personal information by making a subject access request (SAR). Under GDPR we are obliged to respond to your access request without undue delay.
- **Right of rectification:** The right to request that we rectify any inaccurate data about you without undue delay.

- **Right to be forgotten:** The right to have us erase any personal data we hold about you in circumstances such as where it is no longer necessary for us to hold it or/and you have withdrawn your consent to the processing, in circumstances where your consent was required.
- **Right to the restriction of processing:** The right to object to us processing personal data we hold about you such as processing for profiling or direct marketing.
- **Right of Portability** The right to request the personal data you provided to us in a portable format, or where technically feasible for us to port that personal data to another provider, provided it does not result in a disclosure of personal data relating to other people.
- **Right of Review:** in the event that St Michael's House refuses your request under rights of access we will provide you with a reason why.
- **Withdraw your consent:** Where the processing of your personal data is based on your consent you have the right to withdraw that consent at any time. Any processing that we have carried out before you withdrew your consent remains lawful.
- **Make a Complaint:** You have a right to lodge a complaint with your local supervisory authority with respect to our processing of your personal data. The local Supervisory Authority in Ireland is the Data Protection Commissioner. The website is www.dataprotection.ie. The form titled 'Raise a concern' is available on their website.

You may exercise any of the above rights by contacting the DPO of St Michael's House, contact details below.

11. How to contact our Data Protection Officer

If you have any questions as to how your personal data is gathered, stored, shared or used, or if you wish to exercise any of your data rights please contact our Data Protection Officer as follows:

By Email: dpo@smh.ie

By Phone: 01 8840200

By postal Address:

Data Protection Officer, St. Michael's House, Ballymun Road, Ballymun, Dublin 9 D09 DX37