

# TUH Privacy Notice

## Patients & Service Users



Tallaght  
University  
Hospital

Ospidéal  
Ollscoile  
Thamhlachta

An Academic Partner of Trinity College Dublin

### 1. Purpose

Tallaght University Hospital (TUH) 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 TUH.

### 2. The information we process

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

- Personal details about you, such as date of birth, address, next of kin, contact details (mobile phone number) etc.
- Notes and reports about your health needs
- Results of investigations, such as X-Rays and laboratory tests
- 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 racial or ethnic origin, religious or philosophical beliefs, and the processing of genetic data, biometric data for the purpose of uniquely identifying a person, data concerning health or data concerning a person's sex life.

### 3. Legal basis for processing

TUH's lawful basis for processing personal data of service users is as follows:

1. The processing is necessary in order to protect the vital interests of the person (referred to as the data subject in Data Protection language). This would apply in emergency situations such as in the Emergency Department when unconscious, sharing information with other emergency services for rescue or relocation in storms etc.
2. The processing is necessary for a task carried out in the public interest or in the exercise of official authority vested in the controller; for the TUH this official authority is vested in us through the Health Act 2004 (as amended).

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.

We 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 the patient,
- 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. For example the outpatient clinic secretary, Emergency Department Receptionist, Primary Care Centre staff etc.

If the purpose of the processing is for a reason other than the reasons above, we will seek explicit consent to process your sensitive personal data (referred to as 'special categories' of data under the GDPR).

### 4. How we obtain information

We may obtain your information from a variety of sources, including information you give to us. We may also receive your personal information from third parties, for example your GP, your dentist, your social worker, or pharmacist.

### 5. Your rights

You have certain legal rights concerning your information and the manner in which 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.

### 6. Access your health records

You can access your health records by making a subject access request. It is important that you provide satisfactory evidence of identification and a sufficient description of the data that you are looking for. Further details are available on the Hospital website [www.tuh.ie](http://www.tuh.ie)

### 7. Who is the data controller?

The data controller in most instances is TUH. However, when services are provided directly by private hospital, voluntary hospitals, agencies or private contractors, the private hospital, agency or private contractor may be the data controller.

### 8. Your Information may be used to

- Review the care we provide for you to ensure it is of the highest standard
- Investigate complaints, legal claims or adverse incidents
- Protect wider public health interests
- Provide information for planning so we can meet future needs for health and social care services
- Provide information to prepare statistics on Health Service performance
- Carry out health audit
- Provide training and development
- Remind you of appointments by text

### 9. What other use is made of your Information

TUH provides statistical information to other organisations such as the Department of Health, Universities and other research institutions. TUH 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.

### 10. Sharing with third parties

You may also be receiving health or social care from providers outside of TUH, i.e. private or voluntary hospitals, specialists etc. In order to assist in this process, we may make referrals on your behalf requiring the need to share your personal information with those providers. We will only do so if there is a genuine need in order to ensure the highest quality of care is provided to you. We are careful only to share the information that is necessary for this purpose. Anyone who receives this information is also bound by confidentiality and the data protection laws. In certain situations, we may have to disclose your personal information to other agencies, in accordance with legal requirements, i.e. Dept. of Social Protection, Department of Health, the Courts etc., or in an emergency situation to prevent injury to other persons. Information is also shared with health insurance companies, billing agencies and other relevant third parties.

### 11. Transferring information overseas

We may transfer your information to organisations in other countries which is necessary to provide you with health and social care services, on the basis that anyone to whom we pass it protects it in the same way we would and in accordance with applicable laws. For more information about overseas transfers, please contact us using the contact information provided above.

### 12. How do we keep your records secure and confidential?

We are committed to ensuring that your information is secure with us and with the third parties who act on our behalf. We have a number of security precautions in place to prevent the loss, misuse or alteration of your information. All staff working for TUH have a legal duty to keep information about you confidential and all staff are trained in information security and confidentiality. TUH has strict information security policies and procedures in place to ensure that information about you is safe, whether it is held in paper or electronic format.

### 13. Sharing Information – within TUH

Within TUH, the clinical information collected by a doctor or other healthcare professional or staff member authorised to process your data is not passed on to others within TUH, unless it is considered necessary for your health or social care needs or for one of the other reasons set out above (where possible, the personal information is anonymised or pseudonymised).

### 14. Retention period

We will only retain information for as long as necessary. Records are maintained in line with the TUH Records Retention Policy.

### 15. Contact details

Please contact our Data Protection Office:

- 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. The Data Protection Officer can be contacted by email [dpo@tuh.ie](mailto:dpo@tuh.ie) or telephone 01 414 3110