



**Carlow Emergency Doctors-on-Call Company Limited By Guarantee (“Caredoc”)**

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## **Patient Privacy Notice**

### **1. Introduction**

Caredoc is committed to providing patients with the highest quality of care in an environment that protects the privacy and confidentiality of their personal data. Caredoc must comply with the Data Protection Acts 1988-2018 and the General Data Protection Regulations (GDPR).

This Notice sets out how we capture, use and protect all types of personal data which Caredoc 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 Caredoc.

The data controller in most instances is Caredoc. However, when patients are referred directly by private hospitals, voluntary hospitals, agencies or by any other means, Caredoc may not be the data controller.

### **2. What information do we process?**

To allow 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 name, date of birth, address, next of kin, contact details etc
- Information relating to your treatment and care; symptoms, examination and test results, notes and reports about your health, diagnosis and/or a plan for care of treatment
- Relevant information from other health professionals, other healthcare agencies and your carers and relatives
- Financial information such as medical card details or private patient status
- CCTV and security information
- Audio recordings

### **3. How do we collect your information?**

We may obtain your information from a variety of sources including information you give to us.

Each time a patient contacts or uses the Caredoc service, a record is made. This record may be on paper, electronically on a computer or stored by other media such as an audio tape recording and in some cases, a CCTV recording.

We may also receive your personal information from third parties, for example; your next of kin, your family members, your GP or other health professionals who are contributing to your care.

### **4. How do we use your information?**

This information serves as:

- A basis for planning care, treatment and any follow-up needed;
- A means of communication among health professionals who contribute to the patients care; eg Patients own GP, HSE, Pharmacists, Emergency services
- A medical record of the care received;
- A means by which we can process a claim for payment – either a charge for private patients or claim to the HSE for medical card holders;
- A source of information to investigate complaints, legal claims or adverse incidents;
- A tool for educating/training health professionals;
- A source of information for medical research\*;
- A source of information for public health officials charged with improving the health of the nation;
- A source of information for planning service improvements;
- A tool that can be used to assess and continually improve the quality of service provision by Caredoc;
- A tool for ensuring the safety of our patients and staff members.

\*Caredoc provides statistical information to other organisations such as the HSE, Universities and other research institutions. Caredoc will make sure that you cannot be identified by anonymising the information.

### **5. Legal basis for processing**

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

- The processing is necessary in order to protect the vital interests of the data subject;
- The processing is necessary for a task carried out in the public interest;

- The processing is necessary for compliance with a legal obligation to which the Caredoc is subject.
- The processing is necessary for our legitimate business interest in providing our services as efficiently as possible.

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 medical diagnosis,
- for the provision of healthcare, treatment or social care
- for the management of health or social care systems and services.

## **6. Who do we share your information with?**

Caredoc may share your personal data with a number of third parties, where required. 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; for example with health professionals who contribute to the patients care such as patients own GP, HSE, Pharmacists, Emergency services. Anyone who receives this information is also bound by confidentiality and data protection legislation. In certain situations, we may have to disclose your personal information to other agencies, in accordance with legal requirements, i.e. Department of Social welfare, Department of Health, the Courts etc., or in an emergency situation to prevent injury to other persons.

Caredoc may also share your personal data with a number of third party service providers who are acting on our behalf to provide a service to Caredoc. Caredoc will ensure that the appropriate contractual and security arrangements are in place with any third party providers. Please refer to Appendix 1 for more details.

## **7. Transferring information overseas**

In some circumstances we may need to transfer your personal data outside of Ireland in order to provide the best care and services possible. Caredoc will take reasonable steps to ensure that the third parties do not breach the Data Protection requirements. The steps that Caredoc will take may include ensuring the third party is bound by privacy protection obligations which are the same (or substantially the same) as those which bind Caredoc and requiring that the third party has information security measures in place which are of an acceptable standard.

## **8. Retention of Data**

Caredoc is under legal obligation to keep certain data for a specified period of time. In addition, the organisation will need to keep data for a period of time in order to protect the vital interests of our patients. Please refer to the extract from the Caredoc Retention Policy on Appendix 2 for full details of these retention periods.

## 9. Security and Storage of Data

Caredoc will take all reasonable steps to ensure that appropriate security measures are in place to protect the confidentiality of both electronic and manual data. Security measures will be reviewed from time to time, having regard to the technology available and the cost and the risk of unauthorised access. Caredoc employees are required to implement all organisational security policies and procedures, e.g., use of computer passwords, locking filing cabinets.

## 10. Your Rights

Under the General Data Protection Regulation (GDPR) you have a number of rights with regard to your personal data. These are as follows:

### 10.1 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. Parents and legal guardians can also make a request for the patient record of a child. 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). All requests should be made in writing or by email to the contact details provided above.

### 10.2 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.

### 10.3 Right to Erasure

You have the right to seek the erasure of personal data relating to you, however, the right to erasure of medical records is not an absolute right and restrictions may apply. This would need to be examined on a case-by-case basis. We will also be unable 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.

### 10.4 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, where processing of the personal data is unlawful; where the personal data is no longer required by us but you require the data for the establishment, exercise, or defense of a legal claim.

Requests from patients to restrict processing should be in writing and signed, however restrictions may apply.

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

### **10.6 Right to Object**

You have the right to object to the further use of your personal data in certain circumstances. Requests from patients to object to processing should be in writing and signed, however restrictions may apply.

### **10.7 Right to Lodge a Complaint**

You have the right to lodge a complaint to the Data Protection Commission if you believe that we have not complied with the requirements of the GDPR with regard to your personal data.

## **11. Data Protection Officer**

Tricia Cosgrave is the Data Protection Officer for Caredoc. She bears overall responsibility for ensuring compliance with data protection legislation. All employees must co-operate with the data protection officer when carrying out their duties.

The data protection officer is also available to answer queries or deal with a patient's concerns about data protection and can be contacted at the above address or by email to [tricia.cosgrave@caredoc.ie](mailto:tricia.cosgrave@caredoc.ie)

## **12. Review**

This policy will be reviewed from time to time to take into account changes in the law and the experience of the policy in practice.

## Appendix 1

### Patient External Data Processor Privacy Information

Other than health professionals that are involved in or who contribute to the patients care, and third parties who we are legally obliged to share patient information with, all other third party service providers that are involved in the processing of patient data are listed below:

<b>Provider Name</b>	<b>Service Provided</b>	<b>Link to Privacy Policy/Data Protection Policy</b>
Microsoft	Email, Teams and Sharepoint System	<a href="https://privacy.microsoft.com/en-gb/privacystatement">https://privacy.microsoft.com/en-gb/privacystatement</a>
Adastra	Network Support, Database Management, Call Taking Software	<a href="http://www.adastracorp.com/privacy">http://www.adastracorp.com/privacy</a>
Eir Evo	Phone systems, Call recording, call reporting software, call storage	<a href="https://www.eirevo.ie/privacy/">https://www.eirevo.ie/privacy/</a>
Datascan	Scanning Services	<a href="http://datascan.ie/privacy-cookies-policy/">http://datascan.ie/privacy-cookies-policy/</a>
M1 Document Solutions	Shredding	<a href="https://confidentialpapershredding.ie/privacynotice/">https://confidentialpapershredding.ie/privacynotice/</a>
HSE	Funding, Processing of Medical Card payments, CCTV, Infectious diseases notifications, influenza surveillance, various national registries	<a href="https://www.hse.ie/eng/gdpr/hse-data-protection-policy/">https://www.hse.ie/eng/gdpr/hse-data-protection-policy/</a>  <a href="https://www.hse.ie/eng/staff/pcrs/hse-prcs-privacy-statement-v1.pdf">https://www.hse.ie/eng/staff/pcrs/hse-prcs-privacy-statement-v1.pdf</a>
Bank of Ireland	Banking Services	<a href="https://www.bankofireland.com/privacy/data-protection-notice/">https://www.bankofireland.com/privacy/data-protection-notice/</a>
Allied Irish Bank	Banking Services	<a href="https://aib.ie/content/dam/aib/personal/docs/help-and-guidance/data-protection-may-2018.pdf">https://aib.ie/content/dam/aib/personal/docs/help-and-guidance/data-protection-may-2018.pdf</a>
Arachas	Insurance Providers	<a href="https://www.arachas.ie/compliance/privacy-policy">https://www.arachas.ie/compliance/privacy-policy</a>
Vodafone	Mobile Phone Services	<a href="https://n.vodafone.ie/privacy.html">https://n.vodafone.ie/privacy.html</a>
Eir	Internet Services, Mobile Phone Services	<a href="https://www.eir.ie/privacycentre/">https://www.eir.ie/privacycentre/</a>
Three	Mobile Phone Services	<a href="http://www.three.ie/privacy-policy/">http://www.three.ie/privacy-policy/</a>
TasBook	Accounting Software	<a href="https://www.synergynet.ie/privacy-and-cookies/">https://www.synergynet.ie/privacy-and-cookies/</a>
Sage	Accounting Software	<a href="https://www.sage.com/en-gb/legal/">https://www.sage.com/en-gb/legal/</a>
Revenue	Irish Tax and Customs	<a href="https://www.revenue.ie/en/corporate/statutory-obligations/data-protection/index.aspx">https://www.revenue.ie/en/corporate/statutory-obligations/data-protection/index.aspx</a>
Health and Safety Authority	Health and Safety	<a href="http://www.hsa.ie/eng/Privacy/">http://www.hsa.ie/eng/Privacy/</a>

## Appendix 2

### Extract from the Caredoc Retention Policy

Categories of personal data and data subjects	Elements of personal data included within each data category	Retention period
Patient Records to include Adult, children	General Health- Adult - Name, address, telephone number, date of birth, gender, religion, sexual orientation, family members, family history, next of kin contact details, carers details, GP's name, GMS number, medical and surgical history, medical card details, current medical complaint, time and date of appointment, nursing notes, doctor consultation notes, patient information from patients own GP, hospital doctor or other relevant health professionals	Retained indefinitely
Children Patient Records	Children and young people (all types of records as mentioned above relating to children and young people)	Retained indefinitely
Child Protection concerns that Caredoc refers on to Tusla	All types of patients records mentioned above relating to mentally disordered persons	Retained for 6 years from the date the report is filed with Tusla
Mentally disordered persons (within the meaning of the Mental Health Acts 1945 to 2001)	All types of patients records mentioned above relating to mentally disordered persons	Retained indefinitely
Special Notes	Special Notes specific to the patient	Where the special note is in respect of the health of the patient, this will form part of the medical record of the patient and will be retained indefinitely. The Special note hard copy will be destroyed (confidentially shredded) after 6 months from date of receipt.

<b>Categories of personal data and data subjects</b>	<b>Elements of personal data included within each data category</b>	<b>Retention period</b>
Notification of Infectious Diseases	Name, DOB, Address, contact number, Date of diagnosis, details of infectious disease, GP name	Retained indefinitely
Community Health and Welfare Services	Any records required to make the necessary reports	Retained indefinitely
Financial management	Name, Address, Medical Card details, record of services provided, payment records.	8 years from the year the record is made
Sign in sheets	Name, date, staff member or not	1 day - shredded
Voice recordings	Phone recordings	1 month
CCTV Footage	Video footage	1 month
Complaints	Name and contact details of complainant, details of the case.	Retained for 6 years from the date the request is completed.
Requests for copies of receipts	Name and contact details of the patient and of the requester if this differs from the patient	6 months from the date the request is finalised
Requests for confirmation of attendance/ consultation to Caredoc	Name and contact details of the patient and of the requester if this differs from the patient	6 months from the date the request is finalised
Requests for medical records and/or medical reports including GDPR Requests, FOI Requests, Court Order Requests, Requests made under discovery etc	Name and contact details of the patient and of the requester if this differs from the patient	Retained for 6 years from the date the request is completed.