

# The King's Hospital

## Data Privacy Policy

Approved by \_\_\_\_\_

Date \_\_\_\_\_

Revision DPP01

## **1. Purpose of The King's Hospital Data Privacy Policy**

1.1 The purpose of this Data Protection Policy is to provide for the protection of the rights and privacy of individuals about whom the School processes personal data in accordance with the Data Protection Acts (Data Protection Act 1988 and Data Protection (Amendment) Act 2003), including the General Data Protection Regulations.

1.2 The King's Hospital is committed to protecting the rights and privacy of individuals in accordance with the Data Protection Acts and acknowledges the rights that these Acts confer on individuals as well as the responsibilities the Acts place on School employees who process personal data in the course of their duties.

## **2. Data Protection Definitions**

2.1 The Data Protection Acts provide for the collection, processing, retention and eventual destruction of personal data in a responsible and secure way thereby avoiding its misuse.

### **2.2 Personal Data and Sensitive Personal Data**

221 'Personal data' is data that relates to a living individual who is identifiable either from the data itself or from the data in conjunction with other information held by the School.

222 'Personal data' has a very broad-ranging definition and includes, but is not limited to, a person's name, physiological, economic, cultural, social identity, pseudonyms, occupation, address etc.

223 The Acts differentiate between 'personal data' and 'sensitive personal data'. 'Sensitive personal data' relates to a person's racial or ethnic origin; political opinions; religious or philosophical beliefs; physical and mental health; sexual life; criminal convictions, the alleged commission of an offence and trade union membership.

224 For the purposes of this Policy, references to 'personal data' are deemed to refer to both 'personal data' and 'sensitive personal data'.

225 Personal data may be held in either electronic form (e.g. on a computer system, CCTV system) or in hard-copy.

### **2.3 Consent**

231 At the time of providing any personal data to the School, individuals must be made aware of the use(s) for which the data is being collected and give their consent to such use(s).

## **2.4 Personal Data related to Deceased Persons**

- 24.1 Best practice requires that where personal data relating to deceased persons is held, this data is retained and processed in the same manner as personal data relating to living individuals.

## **2.5 Anonymised Personal Data**

- 25.1 Personal data collected anonymously or irrevocably anonymised to the extent that the individual cannot be identified from the data is not subject to the requirements of the Data Protection Acts or this Policy.

## **3. Use of Personal Data at The King's Hospital**

- 3.1 In order to fulfil its functions, the School (as 'data controller') must collect and process certain personal data about its employees, students and other individuals who come in contact with the School. Such functions include the organisation and administration of courses; examinations; awarding of awards; research activities including adherence to contractual requirements of funding bodies; recruitment of students; student accommodation; recruitment, appointment and payment of employees; compliance with statutory obligations; and other necessary academic and administrative activities.
- 3.2 All personal data collected and processed by the School must be treated with the highest standards of security and confidentiality in order to comply with the Data Protection Acts.
- 3.3 Any provision for the School, as a 'data controller', to use a third party (known as a 'data processor') must be the subject of a written agreement. All proposed agreements between the School and a third party must be developed in conjunction with the Management Office (Finance Dept).

## **4. Processing of Personal Data**

- 4.1 The Data Protection legislation imposes a number of restrictions on how the School may process personal data.
- 4.2 The School must handle personal data in accordance with the eight stated data protection principles outlined in the Acts as follows:
- (a) Obtain and process the personal data fairly;
  - (b) Keep only for one or more specified and lawful purpose(s);
  - (c) Use and disclose only in ways compatible with the purpose(s) for which it was initially provided;
  - (d) Keep safe and secure;
  - (e) Keep accurate, complete and up-to-date;
  - (f) Ensure that it is adequate, relevant and not excessive;
  - (g) Retain for no longer than is necessary for the specified purpose(s);
  - (h) Provide a copy of his/her personal data to an individual, on request.

## **5. Responsibilities of School Employees**

- 5.1 This Policy applies to all departments, offices, units, research centres and areas of work that form part of the School structure and applies to all personal data processed by the School.
- 5.2 While the School as a whole has the overall responsibility for ensuring compliance with the Data Protection Acts, responsibility for the implementation of this Policy rests with the Head of each Academic/Administrative area to ensure good data handling practices are in place in order to uphold the privacy of personal data within their respective areas of responsibility.
- 5.3 Notwithstanding the foregoing, all employees of the School who collect or use personal data as part of their duties have a responsibility to ensure that they process personal data in accordance with the conditions set down in this Policy, the School's Data Protection Compliance Regulations, the Data Protection Acts and any other relevant School policies/regulations/procedures.

## **5.4 The King's Hospital Data Protection Regulations**

- 5.4.1 In order to assist employees in implementing this Policy, Data Protection Compliance Regulations are available on request from the management team. These regulations set out key areas of work at the School where data protection issues may arise and outline best practice in dealing with them.

## **6. Procedure in the event of a Personal Data Breach**

- 6.1 A personal data breach may be defined as an incident where unauthorised disclosure, loss, destruction or alteration of personal data occurs through, for example, loss or theft of a portable device, accidental disclosure via email/other electronic system, loss of hard copy records etc.
- 6.2 In the event of a personal data breach, the Management Office (Finance Dept) must be notified immediately. The Management Office (Finance Dept) will ensure, where appropriate and required, that the data subjects and the Data Protection Commissioner's Office are notified within a maximum of 72 Hours of a breach occurring as required by the Data Protection Commissioner's 'Personal Data Security Breach Code of Practice' (available at [www.dataprotection.ie](http://www.dataprotection.ie)).
- 6.3 Breaches of the terms and conditions of this Policy and the School's Data Protection Compliance Regulations could result in major reputational and financial damage to the School.

## **7. Data Subject Access Requests**

- 7.1 Under the Data Protection Acts, data subjects are entitled to make a request for their personal data held by the School. The Management Office (Finance Dept) should be contacted should an Access Request be raised.

## **8. King's Hospital - Website Privacy**

- 8.1 This Privacy Statement explains the privacy guidelines that the King's Hospital has adopted for its websites. This policy relates to websites hosted under the kingshospital.ie domain only. The School is not responsible for the content or privacy practices of external websites. Within the school domain one may find websites over which the School has no editorial responsibility or direct control. At times, links to these websites are not always clearly identifiable. Such sites can include the websites of student organisations etc. While the school encourages compliance with our web privacy statement for all such sites, please consult the privacy statements of individual sites or contact the persons responsible for those sites, in order to understand the policies and practices under which they operate.

## **9. Processing of personal information on website**

- 9.1 The King's Hospital does not collect any personal data about web visitors on this website. Information provided is used by the School only in accordance with the purpose for which it has been provided and will only be retained for as long as required for the purpose. The King's Hospital will not retain any personal information about its web visitors on this website without permission save in cases where the School is required by law to do so, such as the investigation of a criminal offence by the Gardai, or a breach of the School's web-related policies, procedures or guidelines.

## **10. Processing of technical information on website**

- 10.1 The King's Hospital website 'cookies', which are small text files stored on a user's computer. They are used to collect anonymous data on user behaviour and standard Internet activity. The information stored in the cookie is transmitted to the analytics tools and then used to evaluate visitors' use of the website and to compile statistical reports on website activity for King's Hospital.
- 10.2 The School will never (nor will enable Third Parties to) use these analytics tools to track or collect any personally identifiable data of visitors to the King's Hospital site. This data is completely anonymous. Users may also disable cookies from their web browser with no loss of functionality.
- 10.3 Technical details in connection with visits to this website may be logged on the School's server for accounting and auditing purposes (e.g. Computer IP number). It is the policy of the School not to disclose such technical information in respect of individual website visitors to any third party unless obliged to disclose such information by a rule of law. The

technical information will be used only for statistical purposes.

- 10.4 It should be noted that technical details, which the School cannot associate with any identifiable individual, do not constitute "personal data" for the purposes of the Data Protection Act 1988 and Data Protection (Amendment) Act, 2003.

## **11. Further Information and Contact Details**

- 11.1 Further information on data privacy rights is available on the website of the Data Protection Commissioner [www.dataprotection.ie](http://www.dataprotection.ie). Please contact the Department of Finance at the King's Hospital on queries relating to the processing of personal data on this Website please contact the Marketing Department.

## **12. Review**

- 12.1 This Policy will be reviewed in accordance with the introduction of future legislative changes, or organizational changes within The King's Hospital.