

## Clarecare General Data Privacy Notice



### Purpose

Clarecare is a not for profit organization providing a range of support services to people in Co. Clare. Clarecare must comply with the Data Protection Acts 1988-2018 and the General Data Protection Regulations (GDPR).

We respect your rights to privacy and to the protection of your personal information and we are dedicated to ensuring that the services we provide reflect our commitment to treat all information shared with us with the utmost respect, sensitivity and confidentiality.

This Privacy Notice sets out how, in general, we process your personal data and information that you give us.

Each Clarecare service will have its own Data Privacy Notice which details more specifically the data we collect and how we use it in that particular service area.

### What information does Clarecare collect about me?

Personal data is any information which identifies you, whether directly, (for example, your name), or indirectly, (for example, a case reference number, address, date of birth).

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 (mobile phone number) etc.
- Information relating to your service engagement and care including notes and reports which assist our staff in providing services
- Relevant information from other health and social care professionals, other healthcare agencies and your carers and relatives
- Financial and health insurance information
- CCTV and security information
- We may also process certain special categories of information, which may include racial or ethnic origin, religious or philosophical beliefs and data concerning health.

## Why does Clarecare need my information?

We use your information to manage and deliver effective and safe services to you and ensure that the right decisions are made about the services provided to you and so that we can co-ordinate with other organisations that may be involved in your care.

We also maintain records to investigate complaints, legal claims and adverse incidents, meet safeguarding requirements for children, young people and adults at risk; to supervise and audit our processes; to gather statistical information for research and future service provision; and to implement robust policies and practice within Clarecare and protect the wider public interest, e.g. Covid-19. These tasks are necessary so that we can fulfill our wider legal obligations in terms of corporate governance, company and charity law.

Please note that information which has been gathered for statistical purposes is always anonymised.

## CCTV

Clarecare may use camera surveillance systems (commonly referred to as CCTV) in facilities for the purpose of maintaining the safety and security of its staff, service users, patients, visitors and members of the public. Clarecare is aware that footage or images containing identifiable individuals captured by CCTV systems are personal data for the purposes of data protection law. Clarecare's CCTV systems may, but will not always, collect and store personal information. Clarecare will comply with the GDPR and this privacy notice in respect of any personal information collected via its CCTV systems.

## What is the legal basis for processing my personal data?

Clarecare relies upon a number of legal bases for processing personal data as relevant to the service provided including consent, legitimate interest, vital interest, performance of a contract and on the legal basis of a statutory obligation.

## 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 another health care professional, which will be held in your service user file/client record. This can be paper and/or electronic.

There may also be times when information is collected from your relatives or next of kin e.g. in case of an emergency.

## Who has access to my records within Clarecare?

Your data is treated in the strictest confidence.

We will take appropriate legal, organisational and technical measures to protect your personal information and use a variety of security measures and procedures to safeguard your data against unauthorised access, disclosure or use.

## How long does Clarecare store my information?

The length of time we hold your data will depend on the purposes for which we obtained it.

We will only retain information for as long as necessary. Records are maintained in line with the Clarecare Retention Procedures which are informed by statutory obligations, contractual obligations, quality assurance/best practice obligations which are set by state entities or regulatory bodies, reasonable periods after the conclusion of engagements, for quality assurance or risk management. 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 or mitigation of operational or strategic risks to the organisation.

## What legal rights do I have in relation to the personal data held about me by Clarecare?

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
- 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
- a right to lodge a complaint with the Data Protection Commission.

Some of these rights only apply in certain circumstances and so are not guaranteed or absolute rights.

If you have provided us with consent to process your data, you can withdraw that consent at any time.

You can access your records by making a Subject Access Request (SAR) and forms are available for this purpose on our website. or contact Clarecare directly by telephone, letter or email. It is important that you provide satisfactory evidence of identification and a sufficient description of the information that you are looking for.

Every request will be considered carefully by Clarecare. The information furnished may be redacted if it would interfere with the rights of another individual.

There is no charge to access this information and a response will be provided within one calendar month. Please contact the Clarecare Data Privacy Officer if you have any queries or concerns about your rights.

## Does Clarecare share my information with third parties?

In order to provide services to you we may have to share your personal data with external health or social care providers in order to ensure the highest quality of care is provided to you. Your consent will be required for us to do this. 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 limited circumstances, we may have to disclose your personal information to other agencies, in accordance with legal or regulatory bodies or in an emergency situation to prevent injury to you or to other persons or when it is necessary to report an allegation, concern or suspicion of abuse

A request made by a third party acting on your behalf, such as your solicitor, must be accompanied by a signed form of consent before any disclosure will be made.

Every request will be considered carefully by Clarecare. The information furnished may be redacted if it would interfere with the rights of another individual.

## Is my personal data transferred outside of the European Economic Area?

We do not transfer any personal data information outside of the European Economic Area ("EEA").

## How can I contact Clarecare if I have any questions about how it handles my personal data?

If you require any further information on this notice or data protection within Clarecare please contact: Data Privacy Officer, Clarecare, Harmony Row. Ennis, Co. Clare, V95 F8CN

Tel: 065 6828178

Email: [privacyofficer@clarecare.ie](mailto:privacyofficer@clarecare.ie)

## What can I do if I wish to make a complaint?

We are committed to finding a fair and lawful resolution to any problems or complaints which arise in the course of data processing. Please report any concerns you have to the Privacy Officer within Clarecare using the above contact details.

If your complaint cannot be resolved by Clarecare or if you feel that it has not been resolved to your satisfaction, you have the right to complain to the Data Protection Commission.

Further information can be found online via Data Protection Commission website

[www.dataprotection.ie](http://www.dataprotection.ie)

**Clarecare CLG is registered as a company limited by guarantee in Ireland.**

**Registered Company Address: Harmony Row Ennis, Co. Clare V95 F8CN. Registered Charity Number: 20012874.**