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1. Introduction

The Talbot Group provides services for adults and children with intellectual disabilities, autism and acquired brain injuries in a residential, respite and day service environment. The aim of the Talbot Group is to provide the highest quality of care and support to those using our services to enable them to have the very best life they can and to maximise their independence. The registered address for the service is: The Talbot Group, Redwood Extended Care Facility Stamullen, Co Meath, K32 VN82.

The Talbot Group is committed to protecting your privacy rights in relation to the processing of personal information in both electronic and paper format and take our obligations with regards to the protection of the personal information entrusted to us very seriously. The Talbot Group has a Data Protection Officer ('DPO'), who can advise on any queries you have in relation to this privacy notice or the rights afforded to you under the applicable data protection law such as the General Data Protection Regulation ('GDPR'). The Talbot Group Data Protection Officer can be contacted at GDPR@talbotgroup.ie

This Privacy Notice is applicable where the Talbot Group processes an individual's personal data. For example, where that individual is a service user, a service users family member/representative, a visitor to the service or someone who has made an enquiry or engaged with the Talbot Group. The information below is intended to inform how personal information will be used, by whom, for what purposes and explains your data protection rights.

The Talbot Group is the data controller for the majority of processing activities.

The contents of this Privacy Notice are subject to change and to being updated without notice from time to time.

2. The Legal Basis for using your Personal Information:

The Talbot Group will process personal information in a way compatible with your interaction and involvement with the service and this will vary depending on the Talbot Groups relationship with the data subject, i.e. whether you are, for example, a user of the service, an appointed agent for a service user, a volunteer, a visitor to or make an enquiry to the service .

To ensure personal information is processed lawfully, we identify and apply the most appropriate lawful basis. The six lawful basis available are:

- **Legal obligation:** Processing of your personal information is necessary to comply with a legislative requirement applicable to the service. For example, to comply with an obligation, for example;
 - under the National Vetting Bureau (Children & Vulnerable Persons) Acts 2012 – 2016, the Health Act 2014 etc,
 - to a regulatory body such as HIQA, the HSE or the Data Protection Commission,
 - by law enforcement such as An Garda Siochana.
- **For the performance of a contract:** Processing of your personal information is necessary in relation to a service or a contract that you have entered into or because you have asked for something to be done so you can enter into a contract with us. For example, the Talbot Group contract of care with a service user.
- **Legitimate interest:** Processing of your personal information is necessary for operational or organisational purposes and this processing is subject to those interests not negatively impact your, the data subjects, fundamental rights and freedoms.
- **Consent:** Processing of your personal information is based on obtaining your demonstratable consent and that standard of consent aligns with what is required under the GDPR. Consent may be withdrawn at any time however, where consent is withdrawn, this will not affect the lawfulness of any processing carried out prior to you withdrawing consent. This only applies if consent is the basis on which we process your personal information.
- **Vital Interest:** Processing of your personal information is necessary to protect your or a third parties life/welfare or to mitigate against a potential risk/threat/harm to an individual.

- **Public Interest:** Processing of your personal information is necessary to complete a task which is carried out in the public interest or in the exercise of official authority vested in the controller. For example, when processing is necessary for humanitarian purposes.

Due to the nature of the services provided by the Talbot Group, information which falls within the criteria of special category data as defined under Article 9 of the General Data Protection Regulation is frequently processed. Examples of special category data include; data relating to a service users physical and mental health, medication, appointments, test results, religious beliefs and spiritual needs.

We will only process such 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, or pursuant to a contract with a health professional,
- where we have obtained the explicit consent of the data subject, that is, the service user.

3. How the Talbot Group uses your personal information:

Personal Data	Purpose of Processing
Name, date of birth, date of admission /discharge, contact information, signature, next of kin, photograph, property and record of finances, possessions, goals and social and personal preferences.	Provision of health and social care services and supports as per our contract of care.
Medication, physical health, nursing needs, specialist health care, nutritional needs, diagnosis information, views and opinions, treatment and care plans, assessments, professionals involved in care, previous convictions or charges, needs and supports, social and personal preferences.	Provision of health and social care services and supports as per our contract of care. Assessment for admission as per referral process.
Name of individuals involved and circumstances of an incident and accident.	To maintain an overview of incidents and subsequent reviews of measures taken following the incident. To fulfil our regulatory reporting obligations.

Name, circumstances, photos, footage, statements relating to any litigation or potential litigation proceedings.	For litigation management and matters under investigation by, for example, An Garda Siochana.
Name, individuals involved and feedback relating to service user engagement and complaints, comments and compliments.	To manage feedback and where appropriate, commence and investigation in line with Talbot Groups agreed processes.
Nature of concern and individuals involved submitted as part of a safeguarding referral.	To safeguard and protect the welfare of individuals who use Talbot Group Services. To comply with Talbot Group legal and professional obligations.
Name, contact information, details of concern referred via Safeguarding Portal.	To comply with Talbot Group legal and professional obligations.
Information requested by and obliged to be provided to regulatory bodies as part of an inspection, review or notification.	To comply with Talbot Group legal and professional obligations.
Your Individual Health Identifier (IHI) number.	To allow health records to be found across different patient systems as obliged under the Health Identifiers Act 2014.
Name and results information contained on lab reports via Health Link.	To access medical results, for example, x-ray, blood test and ultrasound results.
Information noted in our Visitor logbooks, for example, name, company, times of visit.	For security and health and safety purposes.
Statistical analysis using information such as age profile, care hours, dependency level, duration of stay, incidents and complaint data.	For statistical analysis purposes to prepare statistics on our services performance and make enhancements as appropriate. To monitor our resources.
To fulfil our responsibilities as an employer where you are an employee of the Talbot Group.	In order to execute a contract of employment or prior to entering into a contract. As obliged under employment law.

4. How To Execute Your Data Protection Rights;

The GDPR affords a number of rights to individuals and these rights allow you to exercise meaningful control over the way in which your personal information is processed. These rights may be executed free of charge. In certain exceptional

circumstances a reasonable fee may be charged, or the Talbot Group may refuse to act on the request.

Once your identity has been verified, the Talbot Group will begin the process of responding to your request without undue delay and within 30 calendar days of receipt of the request.

These periods may be extended in exceptional circumstances, and we will inform you where the extended period applies to you along with an explanation of the reasons for the extension.

The GDPR allows for the following Rights under Chapter III:

A) Access to your personal information: This Right allows you to request and obtain a copy of the personal information, also known as a Data Subject Access Request ('DSAR'), the Talbot Group processes about you as well as other supplementary information such as:

- the purposes of processing;
- the categories of personal information concerned;
- the recipients of your personal information;
- the period for which your personal information will be stored;
- the existence of your right to lodge a complaint with the Data Protection Commission;
- the source of your personal information.

B) Correct your personal information: This right allows you to correct/rectify inaccurate personal information concerning you or instruct completion of incomplete personal information taking into account the purposes of the processing.

Where the information you previously provided to the Talbot Group changes, for example, you move address or change phone number, please contact us promptly so we can update your details.

C) Restrict your personal information: This right allows you to request the restriction of your personal information in certain circumstances. This includes if you dispute the accuracy of information held, you can request that we restrict processing this information while your complaint is being examined or where we no longer need your personal information for the purposes of processing but you require the data in relation to a legal claim.

D) Delete your personal information: This right allows you to request deletion of your personal information in certain circumstances such as the personal information is no longer needed in relation to the purposes for which it was initially collected or the personal information has been unlawfully collected and processed.

We are not under an obligation to rectify or delete your personal information where to do so would:

- prevent us from meeting our contractual obligations to you or,
- where the Talbot Group is required or permitted to process your personal information for legal purposes or otherwise in accordance with our legal obligations.

E) Request your personal information is transferred (or ported) electronically: This right allows you to request we provide you with your personal information in a structured, commonly used and machine-readable format.

The individual may also request this data is transferred from one data controller (such as the Talbot Group) to another. This right is restricted to where we process personal information under the lawful basis of consent or contract execution only.

F) Withdraw your consent: Where your personal information is processed based on the lawful basis of consent, you may invoke your right to withdraw this consent at any time. Withdrawing your consent will not affect the lawfulness of the personal information processed prior to consent withdrawal.

G) Object to your personal information being used for certain purposes: This right allows you to raise an objection if you disagree with the way in which the Talbot Group processes personal information. This right is restricted to where we rely on legitimate interest as the lawful basis to perform such processing. Upon receipt of an objection, the Talbot Group will assess the nature of the objection and whether we can demonstrate our legitimate interest to proceed with the processing.

5. Who We Share Your Personal Information With;

Access to your personal information within the Talbot Group is restricted to personnel who need it for a specific purpose and where it is relevant to the performance of their duties in the organisation.

The Talbot Group also sometimes uses third parties who provide important functions and do so based on our instruction. We will at all times ensure appropriate security and confidentiality measures are in place prior to exchanging any personal information with third parties. An example of such third parties includes service providers who:

- provide IT security, hosting, software and system administration services;
- provide services relating to the secure destruction of Talbot Group documentation following expiration of the associated retention period;
- provide recruitment services on behalf of the Talbot Group;

- professional third parties contracted to fulfil services on behalf of the Talbot Group, for example, Legal Services, Insurance, Public Relations, Catering and Entertainment.

The Talbot Group is subject to third party review and inspections by regulatory and statutory bodies such as HIQA, HSE, HSA and TUSLA. Personal information will be shared with such bodies as is our regulatory obligation.

Personal information may be shared with a law enforcement agency such as An Garda Siochana or the Police Service of Northern Ireland upon receipt of a valid request.

Where a user of our service has an arrangement in place under the Assisted Decision-Making Act 2015, is a ward of court or an independent advocate has been appointed, personal information will be shared with the appointed person where we have a lawful basis to do so.

Where information is requested by a third party and where the provision of the information is lawful, only information strictly necessary for a specific purpose will be provided.

Our website may include links to third-party websites and applications. By clicking on those links or enabling those connections, it may allow third parties to collect or share data about you. The Talbot Group do not control these third-party websites and are not responsible for their privacy practices.

6. Transferring Personal Information Outside of the European Economic Area ('EEA');

As noted above, the Talbot Group uses a number of third party service providers. Where these are based outside of the EEA (The EEA includes all member states of the EU with the addition of Iceland, Lichtenstein and Norway) we will ensure measures are implemented to ensure all personal information subject to the processing is protected. These measures will include the following data transfer mechanisms:

- that country provides an adequate level of protection for personal information as set down by the European Commission; or
- the transfer is made under a legally binding agreement which covers the EU requirements for the transfer of personal information to data processors outside of the EEA such as the model contractual clauses approved by the European Commission; or
- Binding Corporate Rules ('BCRs'); or
- such other approved mechanism or model approved by the European Commission

7. How Long The Talbot Group Will Keep Your Personal Information;

The Talbot Group will only keep personal information as long as is necessary before it is either deleted, securely destroyed or anonymised.

The length of time the Talbot Group retains personal information varies and the criteria for applying a retention period depends on a number of factors to include:

- The circumstances of the Talbot Group processing the personal information for example, if you are a service user, an employee, contractor, make an enquiry to the service etc;
- Retention of the information is necessary for the Talbot Group to fulfil our obligations under the contract of care with the service user;
- In line with our statutory obligations under any legislation applicable to the Talbot Group and/or our employees;
- If we're contractually obliged to retain information for a specified time period;
- If there is an ongoing legal claim, criminal investigation or the Talbot Group are obliged to retain the data following receipt of a statutory order;

When a retention period is applied, the personal information will be kept for a specific period from when the relationship between the individual and the Talbot Group ceases. For example, X years after a service user leaves the service.

8. How To Raise A Complaint;

If you believe the Talbot Group did not process your personal information in line with this Privacy Notice, please contact the Talbot Group Data Protection Officer in the first instance at GDPR@talbotgroup.ie

As is your right and where you are dissatisfied with any aspect of the Talbot Groups processing of your personal information, you may make a complaint to the Supervisory Authority:

Data Protection Commission:

Address: Data Protection Commissioner, 21
Fitzwilliam Square North Dublin 2 D02 RD28

Phone: + 353 57 868 4800

Email: info@dataprotection.ie

Website: www.dataprotection.ie