

Myhomecare.ie Data Protection and Retention Policy

Purpose

To outline the Myhomecare.ie Policy in relation to the safeguarding of the rights and freedoms of employees when processing their personal data.

To explain employee's obligations when obtaining, handling, processing or storing personal data in the course of working for, or on behalf of Myhomecare.ie.

Myhomecare.ie has in place a range of systems, checks and balances to ensure that the highest standards of service are maintained in terms of information governance. For over 10 years the organisation has been audited externally and retained its ISO certification in terms of office and information systems.

We recognise that as a service provider to the health service an increased level of responsibility and accountability exists in terms of information management. In order to bring coherency, transparency and assurance to information initiatives in health and social care settings, an information governance framework is employed.

The framework is broadly covered under the following six areas:

1. Systems Management. This refers to having an appropriate management structure in place to support an information governance framework for our organisation. Our CEO Declan Murphy has a direct responsibility for the management of information in the organisation and our quality assurance manager, Jane O'Rourke is fully trained in this regard.
2. Confidentiality and data protection assurance. This element is driven by the requirements of the Data Protection Acts 1988 and 2003, 2018, and GDPR Legislation, which require that the processing of personal information should be carried out confidentially in health and social care settings. Our service-users are made aware of their choices with regard to the sharing of their information and their access to their information held in this regard.
3. Information security assurance. We confirm that the systems are in place that ensure that all information is held confidentially and securely, can be relied upon in use, and is available to authorised persons when and where needed. It is concerned not only with technical methods for securing information but also deals with physical security measures both in relation to electronic records and paper records.
4. Clinical information assurance. As an organisation we monitor the accuracy of records so that healthcare professionals can be confident that care decisions are based on reliable, high-quality information. This work area is also concerned with procedures being in place to ensure the availability of records when and where they are required
5. Secondary use of information assurance. We manage and have procedures in place governing the appropriate use of information collected for secondary purposes such as research and clinical audit, while protecting the rights of the patient concerned.
6. Freedom of information assurance. We comply fully with the requirements of the Freedom of Information Acts 1997 and 2003. There are measures in place to comply with the timescales for responding to an information request. It also includes an appropriate records management policy and the identification of staff members who are accountable for FOI in

each organisation. Alicia Traynor is the appropriate contact within the Myhomecare organisation.

All employees will have access to a certain amount of personal data relating to colleagues, candidates, clients and other third parties. Employees must play their part in ensuring its confidentiality. They must adhere to the data protection principles and must not disclose such data, except where necessary in the course of their employment, or in accordance with law. They must not remove or destroy personal data except for lawful purposes.

Any breach of the Data Protection Policy is a serious matter and may lead to a disciplinary action up to and including dismissal.

Lawful Basis for Processing Personal Data

Myhomecare.ie collects and processes personal data relating to its employees and clients in the context of employment and the course of business. In particular, Servisource processes personal data:

- To comply with its legal obligations;
- For the performance of an employee's contract of employment; and
- In pursuit of legitimate interests of the Company.

Also, it may be necessary for Myhomecare.ie to process Special Categories of Personal Data or Sensitive Personal Data in certain circumstances including;

- for the purposes of preventive or occupational medicine or for the assessment of the working capacity of the employee or client;
- following specific consent by the employee or client for the processing of Special Categories of Personal Data or Sensitive Personal Data for a specified purpose. Where the Company is relying on an employee's or client's consent to process Special Categories of Personal Data or Sensitive Personal Data, that consent will be specific in connection with the specified purpose;

Retention Periods

The Company will only retain items of personal data for as long as necessary to meet the purposes outlined above and to comply with the Company's legal obligations.

- In the case of employee candidates, CV's from unsuccessful candidates will be kept for a period of one year; after this time, they will be destroyed;
- In the case of employees, personal data will normally be retained for the duration of the employment contract, unless otherwise stated;
- Personal data is normally retained for a period of six-years post termination, following which the Company will review the data held and determine whether it should be retained for a longer period in accordance with the Company's legal obligations. In circumstances where the personal data is retained for a longer period, a periodic review will be carried out to ensure that the personal data is not kept longer than necessary;

- In the case of clients, personal data will normally be retained for the entire duration of the period of case;
- In relation to emails identifying an employee, it is difficult to predict how long they will be retained by the Company as they might be required for business reasons or for the purpose of a legitimate interest of the Company. This will be determined on a case by case basis.

All employees who work for or on behalf of the Company has some responsibility for ensuring data is collected, stored and handled appropriately. Employees should only process personal data in accordance with this Policy and only if authorised to do so. Employees should only process personal data for the specified lawful purpose for which it was obtained. In any case where an employee processes and retains personal data differently to what is defined in this Policy, they should ask to their Line Manager or contact the Data Protection Compliance Officer, Jane O'Rourke, JORourke@servisource.ie.

Any breach of the Data Protection Policy is a serious matter and may lead to a disciplinary action up to and including dismissal.

In summary the deployment of these policies allows us as an organisation to ensure that personal information is handled legally, securely, efficiently and effectively in order to deliver the best possible care.

We confirm that Myhomecare has put in place processes and procedures for its corporate information that support the efficient location and retrieval of corporate records where and when needed, in particular, to meet requests for information and ensure compliance with corporate governance standards.

The company is registered as a Data Controller and Data Processor for the purposes of complying with the relevant legislation.