

## Privacy & Cookie Policy

Welcome to the RQIA's privacy notice

RQIA respects your privacy and is committed to protecting your personal data. This privacy notice will inform you as to how we look after your personal data and tell you about your privacy rights and how the law protects you.

### **Purpose of this Privacy Notice**

This privacy notice aims to give you information on how RQIA collects and processes your personal data as part of its regulatory functions including any data you may provide through the Web Portal when you report notifiable incidents to RQIA, download and return reports and Quality Improvement Plans (QIPs), complete post inspection questionnaires, perform registration processes (including new registrations, manager variation, changes to registered provider, adding partners, notification of absence, cancellation, and variation) and create and manage delegate users to perform the above functions.

This privacy notice also aims to give you information on how RQIA collects and processes your personal data if you use the RQIA Website.

It is important that you read this privacy notice so that you are fully aware of how and why we are using your data.

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### **Controller**

RQIA is an ICO registered data controller and responsible for the protection and legitimate use of your personal data (collectively referred to as "we", "us" or "our" in this privacy notice).

We have appointed a shared Data Protection Officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact our appointed DPO using the details set out below.

### **Contact Details**

**Email address:** dpo.bso@hscni.net

**Title:** Data Protection Officer:

**Postal address:**

6th Floor, 2 Franklin Street,

Belfast,

BT2 8DQ

**Telephone number:** 02895 363555

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

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## Changes to the Privacy Notice and Your Duty to Inform Us Of Changes

This version was published on 24.05.2018.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes.

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### The Data We Collect About You

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- **Identity Data** includes for example [first name, maiden name, last name, username or similar identifier such as your HSCNI Number, marital status, title, date of birth and gender].
- **Contact Data** includes for example [service address, email address, telephone numbers, delivery address, billing address].
- **Financial Data** includes [annual fees information, financial accounts as part of the registration application process, MHLD patient monies].
- **Technical Data** includes for example [internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website].
- **Profile Data** includes for example [your username and password, feedback and survey responses].
- **Usage Data** includes for example [information about how you use our website, products and services].
- **Communications Data** includes [your preferences in receiving communications from us].

We also collect and compile, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your personal data but is not considered personal data in law as this data does **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

On occasion we may obtain **Special Categories of Personal Data** about you. This would be in the form of criminal convictions, offences and cautions where necessary in the exercise of our regulatory functions. We will only process personal data when it is lawful for us to do so.

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## **How is Your Personal Data Collected?**

We shall be collecting data from and about you through:

### **Direct interactions:**

- You may give us your [Identity, Contact and Financial Data] by using the functions within the Web Portal.

This includes personal data you provide when you contact us in relation to an application for registration

- You have an account created on your behalf by your employer or a colleague within your organisation

### **Indirect interactions:**

- A record of your contact details is created by our staff and system/s if you have contacted us by phone or email concerning any regulatory matter and there may be a need for RQIA to contact you again regarding the matter you raised.
- Or if you subscribe to our publications

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## **How We Use Your Personal Data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

**Click here** to find out more about the GDPR lawful basis for processing personal data that RQIA rely on to process your personal data.

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## **Purposes for Which We Will Use Your Personal Data**

We have set out, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate. You can view the table [here](#).

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact our appointed DPO (listed on page 1 of this notice) if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table [here](#).

Purpose/Activity	Type of Data	Lawful basis for processing including basis of legitimate interest
To manage our relationship with you which may include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) (d) Communications	(a) Necessary for our legitimate interests (to keep our records updated and to study how services use our products/services)
To administer iConnect, the web portal and website (including hosting, troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise)  (b) Necessary to comply with a legal obligation
Registering with RQIA under the 2003 Order	(a) Identity Data (b) Contact Data (c) Profile Data	Necessary to comply with your legislative obligations (i.e. requirement to register) under <a href="#">The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003</a> (2003 Order)
Use the web portal to carry out regulatory activity	(a) Identity Data (b) Contact Data (c) Profile Data (d) Usage Data	Necessary to comply with your legislative obligations under the 2003 Order (i.e. submission of Quality Improvement Plans and statutory notifications)
Create and manage delegate users to perform the above functions.	(a) Identity Data (b) Contact Data (c) Profile Data	Necessary to comply with your legislative obligations under the 2003 Order (i.e. ensure that statutory notifications are submitted to RQIA in a timely manner)

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## **Cookies**

Most websites you visit will use cookies in order to improve your user experience by enabling that website to 'remember' you, either for the duration of your visit (using a 'session cookie') or for repeat visits (using a 'persistent cookie'). Cookies do lots of different jobs, like letting you navigate between pages efficiently, remembering your preferences, and generally improve the user experience. Cookies cannot be used to identify you personally.

If you do not wish to accept cookies on to your device you can do so by adjusting the settings on your browser. However, be aware that if you do block cookies, some features of our websites/web portal may not be available to you and some web pages may not display properly.

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## **Change of Purpose**

Please note that we may be required to process your personal data without your knowledge or consent where this is required or permitted by law e.g. where counter-fraud or PSNI are investigating criminal activity. If we need to use your personal data for a purpose such as this, we will do so in a manner that is still compliant with your data protection rights.

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## **Disclosures of Your Personal Data**

We may have to share your personal data with third parties) for the purposes set out in the table in paragraph 4 above (please see Glossary of third parties). We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

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## **International Transfers**

We do not transfer your personal data outside the European Economic Area (EEA).

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## **Data Security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

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## **Data Retention - How Long Will We Use Your Personal Data For?**

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

RQIA use the DoH Retention and Disposal Schedules when deciding how long to retain your information. For more information please [Click here](#).

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## **Your Legal Rights**

Under certain circumstances, you have rights under data protection laws in relation to your personal data, although some of these rights are qualified if there is a legal basis to hold the data.

- Request access to your personal data
- Request correction of your personal data
- Request erasure of your personal data
- Object to processing of your personal data
- Request restriction of processing your personal data
- Request transfer of your personal data
- Right to withdraw consent

If you wish to exercise any of the rights set out above (other than requesting access to your personal data), please contact RQIA's DPO (contact details on page 1 of this privacy notice).

If you wish to request access to your personal data (i.e. a subject access request), please submit in writing via email to [FOI.BSO@hscni.net](mailto:FOI.BSO@hscni.net) and please include:

- Your full name and address
- Your contact telephone number and email
- 2 forms of identification
- Proof of authority (if appropriate) to obtain another individual's information, and proof of their identity.

### **No Fee Usually Required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights), however, we may ask you to refine the scope of your request for example if the request is very large, covers a long time period or would require many hours of administrative effort to collate.

### **What We May Need From You**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time Limit to Respond**

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

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## **Glossary**

### **Lawful Basis**

**Legitimate Interest** means the interest of our business/organisation in conducting and managing our business/functions to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data. **Comply with a legal or regulatory obligation** means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject to (e.g. counter fraud, PSNI).

- Service providers [acting as processors] based [in Northern Ireland] who provide [IT and system administration services].
- Professional advisers [acting as processors or joint controllers] including lawyers, accountants and auditors based in [in Northern Ireland who provide [legal and accounting services].
- HM Revenue & Customs, regulators and other authorities [acting as processors or joint controllers] based [in the United Kingdom] [who require reporting of processing activities in certain circumstances].

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## Glossary (continued)

### Your Legal Rights

You have the right to:

**Request access** to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.