

Data Protection Notice – Vhi SwiftCare Clinics/360 Health Centres

What is the purpose of this notice?

Our promise to you is that ‘when you need us, we’re there’. In order to fulfil that promise, and to provide you with our products and services, we need to get to know you and what your needs are. This means that we collect certain information about you in the course of operating our business. This notice sets out details of the information that we collect, how we process it, to whom we disclose it, and your rights under data protection law in relation to our processing of your data.

Who controls the use of your personal data?

Vhi Investments DAC trading as Vhi SwiftCare Clinics/360 Health Centre, whose registered address is Vhi House, Lower Abbey Street, Dublin 1, is the company that provides the SwiftCare/360 Health Centre services to you. Vhi Investments DAC is therefore the company that controls and is responsible for personal data that is collected in relation to your treatment in Vhi SwiftCare Clinics/360 Health Centre. If you have any queries in relation to the processing of your personal data, we have appointed a data protection officer that you can contact at dataprotection@vhi.ie.

What personal data is collected?

In order to provide our services to you we need to process certain personal data in relation to you, which includes:

- *Biographical data* – We collect the following biographical data: name, assumed names, address, phone number, email address, gender, family relationships (e.g. spouse, children), and date of birth.
- *Health data* – We collect personal data from you in connection with the injury or illness that has brought you to the Vhi SwiftCare Clinic/360 Health Centre, including details of your medical history and details of the treatments or services that we provide to you.
- *Payment data* – If you pay by credit or debit card we will process your credit or debit card details in order to take payment from you.
- *Vhi membership* – As Vhi SwiftCare Clinics/360 Health Centres are only open to Vhi members, we will process details about your Vhi membership in order to ensure that you are entitled to avail of the Vhi SwiftCare Clinic/360 Health Centre services. We may also process your personal data in order to support a claim that you may make under your Vhi Healthcare plan in connection with your treatment.
- *Feedback and interactions with customer services* – If you interact with our customer services department we will record details of those interactions (e.g. records of phone calls, email correspondence and hard copy correspondence). If you provide feedback we will process details of that feedback. We may also contact you if you provide permission. If you make a complaint we will process details in relation to that complaint.

Where does Vhi collect personal data from?

Most of the personal data that we collect about you will be gathered as part of the consultation and treatment process. However, certain information may be provided by third parties on your behalf, including the following:

- *Group members* – We will receive verification of your health insurance cover from Vhi Healthcare.
- *Medical service providers* – We may request a copy of your medical files from third party service providers, such as your GP or other primary care givers.

Why do you process my personal data?

We process your personal data in order to provide you with our services and to assist us in the operation of our business. Under data protection law we are required to ensure that there is an appropriate basis for the processing of your personal data, and we are required to let you know what that basis is. There are various options under data protection law, but the primary basis that we use are (i) processing necessary to provide medical diagnosis, health care or treatments, or to manage the provision of health care services, (ii) processing necessary for the performance of our contracts with you, (iii) processing necessary in order for us to pursue our legitimate interests, (iv) processing where we have your consent, and (v) processing that is required under applicable law. We set out further details of our processing of your personal data below, together with the basis for that processing:

- *Providing you with services* – Vhi SwiftCare clinics/360 Health Centres offer a range of consultations, treatments and medical services. When we process your personal data in connection with providing you with consultations, treatments and medical services, this will be on the basis that we have entered into a contract with you to provide you with the relevant service. Your health data that is processed in connection with the services is processed because it is necessary to process such health data in order to provide you with the relevant service.
- *Processing claims* – As a Vhi member, if your consultation, treatment or medical service is covered by your Vhi Healthcare plan, we will make a claim for payment from the Vhi company that provides the Vhi Healthcare plan. In order to make the claim we will need to provide information in connection with the underlying medical condition that is treated, your medical history and the medical services that you receive. We will do so by submitting a copy of the receipt along with your signed claim to the Vhi company that processes and adjudicates claims under the terms of your health plan. We may also need to process your personal data in order to deal with queries about your level of cover and pre-certification/approval of treatment. Where we process this health related claims data this will be subject to your agreement to sign the claim form, but please note that if you do not provide your agreement we will not be able to make the claim on your behalf and you will be required to discharge the fees for your treatment to us in full.
- *Running our business* – We will process your personal data in connection with the general administration of our business, including the generation of reports that detail how the business is functioning. We also undertake clinical and non-clinical auditing and quality control to check that our processes are robust and are being followed. In addition we also need to process your data to meet certain regulatory and legislative obligations that apply to our business. We try to do all of the above by using aggregated or anonymous data where possible, so you won't be identifiable from the data, but some of this work involves processing your data without anonymising it. Where we process your health data in connection with these activities it will be on the basis that the processing is necessary in order to manage the provision of Vhi SwiftCare/ 360 Health Centre services. Where we process non-health data in connection with these activities this will be on the basis of our legitimate interest in operating our business.
- *Marketing and Surveys* – If you provide us with your consent to send you marketing messages we, will process your personal data in order to make sure that any marketing messages that we

send you are relevant to you. We undertake annual patient satisfaction surveys for feedback purposes in order to assist us in improving our services. We also provide you with an optional user survey, each time you visit our facilities. Surveys will be offered to persons aged 18 or over. Our processing of your personal data in relation to marketing and market research will be subject to your consent at the time of your visit.

- *Administering our computer systems* – Vhi relies on state of the art technology and computer systems to run our business and process claims. We have an extensive team of developers and support engineers who are constantly testing our systems, running trials of new software, and providing support to our users. In order to do this, where possible we try to use test data or anonymised data, but on occasion we may have to access live data directly, or we will often make a copy of some of the data that sits in our live systems and run our tests on that to make sure everything is working before we roll out a change. These copies may include your personal data, including details in relation to consultations, treatments or other medical services that you have received. In general this processing of your personal data is justified by our legitimate interests in making sure our computer systems run properly and are safe and secure. If we process health data when running these tests or providing support services to our users, it is on the basis that the processing is necessary for the management of Vhi SwiftCare/360 Health Centre services.
- *Legal Actions* – If you require us to provide you or a third party with details of your treatment in connection with a personal injuries action against a third party, we will do so on the basis of your consent or where otherwise required by law.

Important information about when we ask for your consent to the processing of your personal data

In order to process certain personal data in relation to you, especially health data, we need to get your consent. This is particularly the case where we make a claim in connection with your Vhi Healthcare plan. When we process your personal data on the basis of your consent, you are free to withdraw that consent at any time. You can withdraw your consent by contacting us using the contact details at the bottom of this notice. Please note that if you withdraw your consent we may not be able to continue providing you with our services and/or making a claim on your behalf in connection with your Vhi Healthcare plan.

Information you are obliged to provide

We require certain information from you in order to be able to enter into a contract with you and to provide you with our services. Where this is the case we will indicate on relevant forms what personal data is required in order to enter into the contract with you. If you do not provide the information, we will not be able to provide you with our services.

Categories of recipients of your personal data

We share your personal data with the following trusted third parties:

- *Group companies* – The Vhi Group consists of a number of separate companies. We will share your data with the company that provides your health insurance as part of making a claim on your behalf. Some companies in our group provide services on an intra-group basis, which may involve the sharing of your personal data between one or more group companies
- *Medical service providers* – We may share personal data in relation to you with third parties that provide medical related services to us (e.g. labs that provide blood tests; radiology and diagnostic services; physiotherapy; orthopaedic services; podiatry services; dental; sports

medicine; maxillofacial services and paediatric services), or if we refer you to another service provider outside of the services provided through the Vhi SwiftCare clinics/360 Health Centres (such as a consultant, hospital or a general practitioner).

- *Your GP* – We will automatically send your GP a copy of your visit details for continuity of care purposes unless you are over 16 years of age and specifically request otherwise to our front desk staff. For children aged under 16 years of age, in line with the principles of Children First, the guidelines for the protection and welfare of children, a copy of a child's visit details will always be forwarded to their GP.
- *Service providers* – We rely on trusted third parties to help us run the Vhi business and to provide us with specialised services. This can include companies that provide IT services, from scanning letters that we receive and loading them onto our systems, providing dictation and case management systems to hosting data on our behalf when providing software services. We also engage with companies that provide us with non-IT related services, such as legal advisors, accountants and consultants. Where our service providers have access to your personal data we ensure that they are subject to appropriate contracts and other safeguards.
- *Regulators/Public Authorities* – In certain circumstances Vhi is obliged to provide information to a regulator or public authorities, such as in relation to public health warnings for a notifiable disease (e.g. measles but not HIV/AIDS).
- *Clinical audit programmes* – Vhi SwiftCare/360 Health Centre have a robust clinical governance framework in place and as part of professional development obligations and medical research purposes will carry out regular clinical audit. Vhi SwiftCare/360 Health Centre audit programme is carried out on aggregate and anonymised patient data that may be published or shared with other health professionals. Where it is intended that your data will be aggregated and anonymised to be shared externally or published this will be subject to your explicit consent.

Transfers outside of the EU

There are certain circumstances where we will transfer your personal data outside of the European Union to a country which is not recognised by the European Commission as providing an equivalent level of protection for personal data as is provided for in the European Union. If we transfer your personal data outside of the European Union please rest assured that we will ensure that appropriate measures are in place to protect your personal data and to comply with our obligations under applicable data protection law. This may mean that we enter into contracts in the form approved by the European Commission, or use such other GDPR compliant transfer mechanisms that may be approved from time to time. If you would like further details about the measures we have taken in relation to the transfer of your personal data, or copies of the agreements that we have put in place in relation to the transfers, please contact us using the details at the bottom of this notice.

Retention of personal data

Vhi SwiftCare/360 Health Centre will retain your personal data in accordance with our record retention policy. The record retention policy operates on the principle that we keep personal data for no longer than is necessary for the purpose for which we collected it, and in accordance with any requirements that are imposed on us by law. This means that the retention period for your personal data will vary depending on the type of personal data.

For further information about the criteria that we apply to determine retention periods please see below:

- *Medical Data* - Due to the nature of Vhi SwiftCare/360 Health Centre patients availing of urgent care, appointments and return treatments, in order to ensure continuity of care and protect your medical record, your medical information will be retained in Vhi SwiftCare/360 Health Centre in accordance with best medical practice and clinical governance as approved by our Medical Director.
- *Statutory and regulatory obligations* - As we work in a highly regulated industry, we have certain statutory and regulatory obligations to retain personal data for set periods of time.
- *Managing legal claims* - When we assess how long we keep personal data we take into account whether that data may be required in order to defend any legal claims which may be made. If such data is required, we may keep it until the statute of limitations runs out in relation to the type of claim that can be made (which varies from 2 to 12 years).
- *Business requirements* - As we only collect personal data for defined purposes, we assess how long we need to keep personal data for in order to meet our reasonable business purposes.

Your rights

You have various rights under data protection law, subject to certain exemptions, in connection with our processing of your personal data:

- **Right to access the data** - You have the right to request a copy of the personal data that we hold about you, together with other information about our processing of that personal data.
- **Right to rectification** - You have the right to request that any inaccurate personal data that is held about you is corrected, or if we have incomplete information you may request that we update the information such that it is complete. In line with best medical practice and clinical governance, any medical data held on our system may not be altered after treatment and is subject to an audit trail, therefore any amendment that is made to your record is reviewed by the treating doctor and should the doctor feel any changes should be made to their notes this will be done so in the form of an addendum to your original record.
- **Right to erasure** - You have the right to request us to delete personal data that we hold about you. This is sometimes referred to as the right to be forgotten. Your medical record following treatment received in the Clinic cannot be deleted but may be archived and your data will not be included in any further processing activities. Please note you may no longer be able to avail of the services should you choose to have your record archived and unless a copy of your medical record has been sent to your GP your medical records may be incomplete.
- **Right to restriction of processing or to object to processing** - You have the right to request that we no longer process your personal data for particular purposes, or to object to our processing of your personal data for particular purposes.
- **Right to data portability** - You have the right to request us to provide you, or a third party, with a copy of your personal data in a structured, commonly used machine readable format.

In order to exercise any of the above rights, please contact us using the contact details set out below.

Questions and Complaints

If you have any queries or complaints in connection with our processing of your personal data, you can get in touch with us using the following contact details:

- Post: Data Protection Officer, Vhi, Vhi House, 20 Lower Abbey Street, Dublin 1
- E-Mail: dataprotection@vhi.ie

You also have the right to lodge a complaint with the Data Protection Commission (DPC) if you are unhappy with our processing of your personal data. Details of how to lodge a complaint can be found on the dataprotection.ie website by selecting the appropriate webform, or by writing to the DPC at - Data Protection Commission, 21 Fitzwilliam Square South, Dublin 2. DO2, RD28, Ireland.

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