NATIONAL ORTHOPAEDIC HOSPITAL CAPPAGH	**Document Number:**	AP-CBB-42
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National Orthopaedic Hospital Cappagh, Finglas, Dublin 11.	**BONE BANK PRIVACY NOTICE**	

The Bone Bank is a department of the National Orthopaedic Hospital Cappagh (hereafter referred to as the "Hospital", "we", "us") and operates a living donor tissue bank that retrieves bone from suitable consented donors undergoing Total Hip Replacement. The Cappagh Bone Bank forms part of the NOHC Tissue Establishment which includes the satellite Bone Banks of Our Lady's Hospital, Navan and the Croom Retrieval Centre in Croom Orthopaedic Hospital.

What information do we collect?

In the course of the delivery of the Bone Bank services we collect the following information about donors and recipients

- Donor Identity (Name, MRN, DOB, Bone Bank Id (Number), Surgeon Identity)
- Donor Contact (email, home address, phone numbers)
- Medical Information Donor (Surgical procedure Hx, dates, Confidential Medical history (inclusive of social, family, sexual, general health and travel histories) with dates, Donor Serology and microbiology screening)
- Information Recipient (Implantation Data, Name, MRN Gender, DOB, Rhesus status, Date of Surgery, Surgeon identity)

How do we collect your data?

In the case of donors, we collect your data directly from you, from forms you complete and sign, from your hospital record, x-ray, scans and associated diagnostic reports and where deemed necessary from your GP and also from results of the testing of your blood at time of surgery and again at six-month hospital review and tissue. We collect recipient data from the implanting hospital and surgeon.

How will we use your data?

We use your data to match requests to donations and to provide for traceability of the donated and implanted tissue.

What is the legal basis for processing your personal data?

The Hospital's legal basis for processing the personal data of donors and recipients is Article 6(1)(c) where processing is necessary for compliance with a legal obligation to which the controller is subject. The Hospital processes the personal data of donors and recipients in compliance with S.I. No. 158/2006 - European Communities (Quality and Safety of Human Tissues and Cells) Regulations 2006 which transposed DIRECTIVE 2004/23/EC into Irish Law and as subsequently amended and with S.I. No. 598/2007 - European Communities (Human Tissues and Cells Traceability Requirements, Notification of Serious Adverse Reactions and Events

and Certain Technical Requirements) Regulations 2007 which transposed Directive 2006/86/EC into Irish law and as amended subsequently.

The legal basis for processing special category data and 'data concerning health' is Article 9(2)(h) with section 52(d) of the Data Protection Act 2018 for the provision of medical care, treatment or social care.

What is the purpose of processing your personal data?

We process your personal data to screen proposed donations to the bone bank, to match donations to requests, to identify the recipients of bone bank tissue and to maintain records for traceability.

Who do we share your data with?

We do not disclose donor or recipient personal data except in accordance with lawful obligations.

How do we store your data?

We store your data in electronic and physical files which are held in secured electronic file or in secured cabinets in secure locked office with restricted access.

Do we transit your data outside the EEA?

We do not generally transmit your data outside of the European Economic Area. If, in order to fulfil your treatment, we are obliged to do so, we will ensure that the data is transferred in a secure manner, in accordance with data protection legislation. If you would like more information about the relevant safeguards in place for the transfer of personal data to countries or companies outside the European Economic Area, please contact us using the details outlined below.

How long do we retain information?

We only keep your personal data for as long as is necessary for the purpose for which it was originally obtained and in line with National Healthcare Guidelines and S.I. No. 158/2006 and S.I. No. 598/2007.

What are your rights?

Under the GDPR you have the following rights:

- Your right of access

You have the right to find out if the Hospital is using or storing your Personal Data. You exercise this right by asking for a copy of the data, which is commonly known as making a 'Subject Access Request'. There are some exemptions, which means you may not always receive all the information we process.

- Your right to rectification

  You have the right to ask us to rectify information you think is inaccurate.

- Your right to erasure

  You have the right to have your information deleted or we may delete your data under the following conditions:

  - the Personal Data are no longer necessary in relation to the purposes for which they were collected, or otherwise processed
  - you withdraw your consent where there is no other legal ground for the processing;
  - the Personal Data have been unlawfully processed;
  - the Personal Data have to be erased for compliance with a legal obligation.

  This may not apply when the Hospital is complying with a legal obligation, or performing a task in the public interest or for archiving or research purposes, or for exercise of the defence of a legal claim.

- Your right to restriction of processing

  You have the right to ask us to restrict the processing of your information in certain circumstances.

- Your right to object to processing

  You have the right to object to processing if we are able to process your information because the process forms part of our public tasks, or is in our legitimate interests.

- Your right to data portability

  This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another, or give it to you.

Further information on your rights

Further information on your rights is available at the Data Protection Commission website: www.dataprotection.ie/en/individuals/rights-individuals-under-general-data-protection-regulation.

How to exercise your rights

You can exercise your rights and/or if you wish to make a request by contacting us:

National Orthopaedic Hospital Cappagh:

- Email at dpo@nohc.ie or
- Phone on +353 (0)1 814 0447.

Our Lady's Hospital Navan (Dublin North East):

- Email at ddpo@dne@hse.ie or
- Phone (Kells Office) +353 (0) 46 925 1265 or (Cavan Office) +353 (0) 49 437 7343

University Limerick Hospital Group:

- Email at IGO.ULHG@hse.ie or
- Contact our Data Protection Advisor, at Information Governance Office, Unit 2, Loughmore Avenue, Raheen Business Park, Co. Limerick, V94P7X9

Whenever you contact us to ask about your Personal Data, we may ask you to verify your identity. This is to help protect your privacy.

What can you do if you have a complaint about the use of your Personal Data?

Our Data Protection Officer oversees how we collect, use, share and protect your Personal Data to ensure your rights are fulfilled. If you have a complaint about the use of your Personal Data, please contact our Data Protection Officer at dpo@nohc.ie or by telephoning on +353 814 0447 giving us the opportunity to put things right as quickly as possible. We fully investigate all complaints.

You may also contact the Office of the Data Protection Commission:

- Visit their website www.dataprotection.ie.
- Email info@dataprotection.ie
- Phone on +353 (0)57 8684800 or +353 (0)761 104 800
- Write to: Data Protection Commission, 21 Fitzwilliam Square South Dublin 2, D02 RD28

How will the Hospital make updates to this notice?

We are required under the GDPR and the Data Protection Act 2018 to notify you of the information contained in this privacy notice. The notice applies to current and former patients and service recipients. This notice does not form part of any contract of employment or other contract to provide services. We may make changes to this notice from time to time, particularly if we change how we use Personal Data, or change our technology and products. You can always obtain an up-to-date version of this notice by contacting us at dpo@nohc.ie or by accessing our website at www.cappagh.ie/bone-bank/privacy-notice.