

# UCD Safety, Insurance, Operation Risk and Compliance (SIRC) Office Privacy Statement

Contact: [www.ucd.ie/sirc/](http://www.ucd.ie/sirc/) Email: [sirc@ucd.ie](mailto:sirc@ucd.ie)

## UCD SAFETY, INSURANCE, OPERATIONAL RISK AND COMPLIANCE (SIRC) OFFICE PRIVACY STATEMENT

### 1. INTRODUCTION

This statement provides you with information on how the University College Dublin (UCD), specifically the Safety, Insurance, Operational Risk and Compliance (SIRC) Office collects and uses personal data and the steps that the UCD SIRC Office takes to protect your personal data and your right to privacy.

In accordance with the Data Protection Act 2018 and the EU General Data Protection Regulation ("GDPR"), UCD fully respects your right to privacy and actively seeks to preserve the privacy rights of those who share information with the UCD SIRC Office.

### 2. WHAT TYPES OF INFORMATION DO WE PROCESS ABOUT YOU?

"Personal data" means any information about an individual from which that person can be identified. The UCD SIRC Office collects, uses, and processes a range of personal information about you. This may include, but is not limited to:

- Personal data, such as names, addresses, contact information and other information that is relevant.
- Demographic information (such as gender, age, date of birth, nationality, education/work histories, academic/professional qualifications, employment details).
- Personal identification documentation and related information such as employee or student identification numbers or your PPS Number (for example, when dealing with an insurance claim, our insurers may wish to obtain clearance from the Social Welfare Services Office to ensure that there are no recoverable benefits due to them).
- Financial and payment data such as bank account and sort code numbers to process your insurance and expenses related claim forms.
- Human resources data, such as job title and role; employment history; benefits and compensation information; educational, academic, and professional qualifications information.
- Next of kin/emergency contact details (used for emergency use only).
- Details of what correspondence we have sent to you and received from you such as email and postal.
- Information relating an accident or incident, including photographs, descriptions and/or CCTV footage.
- Information regarding on campus activities.
- UCD related business travel details including dates of travel, destination, names of spouse/partner/dependants travelling who may require cover under the University's travel insurance policy and details of retired academic staff who may be travelling on UCD business.
- Information related to the provision of the Services, such as policy information, insurance

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claims information, and information relating to incidents giving rise to civil claims and related losses.

We also process the following “special category data” and other data of a more sensitive personal nature:

- Data concerning your health. For example, information relating to any injuries that may have been sustained as a result of an accident or incident or health status information required to risk assess your safety in the workplace. Information concerning your health may also be received from other sources, such as a medical practitioner, but only after your consent has been received by the entity supplying UCD and/or the UCD SIRC Office with your personal data.
- We may ask for details of past or pending motor offences, motor criminal convictions or other sensitive information about the person who is being insured under the UCD Motor Fleet Insurance Policy. This will include Driver Data (Number of penalty points occurred or pending in the past 5 years, motor accidents, motor claims and motor convictions).

We recognise the sensitivity of collecting this information, so we will only ask for it to arrange, manage or administer the Motor Fleet Insurance Policy insurance contract.

### 3. HOW WE OBTAIN YOUR INFORMATION

The UCD SIRC Office will use the personal data collected about you only in accordance with the purposes outlined in this Privacy Statement. There are instances where we invite or request individuals to provide us with their personal data. In addition, individuals may volunteer their personal data to us by various means of communication, e.g., by post, telephone, email or via our website.

Some of the ways we collect information from/about you may include:

- Where you, a parent/guardian for minors, or a third-party advocate report an accident, injury, or incident to the University or where an accident, injury or incident occurs involving you
- Through collection of data entered on incident report forms
- Personal Risk Assessments e.g., Pregnancy Risk Assessments, Display Screen Equipment Assessments, Personal Emergency Evacuation Plans, etc.
- Personal information provided by you via Google forms or other relevant data collection forms administrated by the UCD SIRC Office, telephone or from email correspondence to the UCD SIRC Office
- Insurance claim forms.

In specific circumstances we may also receive personal data, including sensitive personal data, directly from other UCD Units (such as HR, your Line Manager/Supervisor) or from UCD related databases (such as UCD Estate Services building access databases and CCTV records).

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We may receive sensitive personal data about you from third party service providers such as the University Occupational Health service providers or consultants. For example, where they are asked to carry out reviews of an employee, or a potential employee, at the request of UCD or where UCD have requested the provision of a report or occupational medical advice.

### **4. HOW AND WHY, WE USE YOUR PERSONAL DATA**

The personal data collected, recorded, and received by the UCD SIRC Office will only be used where there is a legal basis for doing so. Most commonly, the UCD SIRC Office will use your personal data in the following circumstances:

- Where it is necessary to ensure your own safety.
- Where UCD need to comply with a legal obligation, for example the Safety, Health and Welfare at Work Act, 2005.
- To investigate accidents and incidents to minimise the chance of reoccurrence.
- To enable UCD to maintain accurate and up-to-date accident, injury, and incident records.
- To enable UCD to establish, exercise or defend possible legal actions.
- To ensure adherence to UCD policies and procedures.
- For statistical purposes, but data will be de-identified if this is the case.
- For finance administration purposes such as submitting an expense claim on your behalf to UCD Finance.
- To enable UCD to manage the UCD insurance programme at an operational level e.g., communications, claims processing and payment.
- To enable UCD to disclose material facts to the relevant insurance companies for insurance policies held by UCD, thus complying with its contractual obligations to disclose material facts to them and enabling the insurance companies to make assessments and decisions about the provision and terms of insurance and settlement of claims. Non-disclosure of a material fact may invalidate the policy/cover or insurers may refuse to pay a claim.
- To enable UCD to provide advice on travel and personal accident insurance, public liability insurance, property liability insurance, etc. matters.
- UCD may also occasionally use your personal information where UCD need to protect your vital interests (or someone else's vital interests), such as when there is a risk to life or personal safety and the person is physically or legally not in a position to provide the information directly themselves.
- For referral to occupational health services to provide medical assessment, health surveillance, medical opinion or advice sought including assessing the working capacity of an individual.
- To contact you in response to communications you might send us or to provide you with the information/service which you have requested. For example, training or a personal risk assessment request.

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### 4.1 SPECIAL CATEGORY DATA

The UCD SIRC Office may process sensitive personal data about you, in specific circumstances, for the following purposes:

- Preventive or occupational medicine.
- For the assessment of the working capacity of the employee.
- To ensure the health and safety of the employee at work and to allow consideration of any adjustments that may be required to support their ability to work.
- Where it is necessary for the purposes of providing or obtaining legal advice or for the purposes of, or in connection with, legal claims, prospective legal claims, legal proceedings or prospective legal proceedings; or is otherwise necessary for the purposes of establishing, exercising or defending legal rights.
- For reasons of substantial public interests, where it is necessary and proportionate for the performance of a function conferred by or under an enactment, and in relation to the management of medical risk and medical claims.

Please note that we may process your personal information without your consent, in compliance with these rules, where this is required or permitted by law.

### 4.2 LEGAL BASIS

UCD rely upon the following legal basis for processing your personal data:

- i. To comply with UCD's legal and regulatory obligations such as those under the Safety, Health and Welfare at Work Act 2005, UCD is required by statute to retain certain records, for example health & safety records.
- ii. Where it is necessary for UCD's legitimate interests in ensuring the safety of UCD employees, students, visitors, members of the public and third parties on UCD campuses/related sites/UCD wholly owned subsidiary company sites and UCD staff/students on UCD fieldwork. For example, for the completion of personal risk assessments, the recording of incidents and for the provision of safety training to staff and postgraduate students.
- iii. Where it is necessary for UCD's legitimate interests or the legitimate reasons of a third party, and where your interests and your fundamental rights and freedoms do not override UCD's interests. For example, to ensure that UCD fulfils its duty to disclose material information under the contract of insurance; for health and safety purposes; incident investigation; for legal advice and legal proceedings; where it is necessary for obtaining legal advice whether in the context of an insurance/civil claim (or prospective claim) and to enable UCD to investigate and assess claims made against insurance policies held by UCD.
- iv. Where processing is necessary for UCD's legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests and in the case of special categories of personal data, as covered by one of the lawful bases as set out in Article 9(1) of the GDPR, for example:

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- i. Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.
- ii. Processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health care or treatment.
- iii. Processing is necessary for reasons of public interest in public health, such as protecting against a pandemic/infectious disease outbreak.

UCD will only collect the minimum amount of personal information necessary.

### 5 WHO DO WE SHARE YOUR PERSONAL DATA WITH

The UCD SIRC Office will share your data with third parties, where necessary, for purposes of the processing and where there is a legal basis to do so. Contracts are in place with third party data processors and associated data controllers that protect your rights under data protection law.

The UCD SIRC Office may share relevant personal data with the following categories of third parties:

- Firms and individuals that provide insurance and legal services to the University, such as insurance brokers and insurance providers.
- Firms and individuals that provide services in relation to the provision of medical care, such as occupational health service providers.
- Firms that provide professional services to the University, such as legal firms.
- Competent regulatory and statutory authorities and bodies as requested or required by law.

The UCD SIRC Office will not ordinarily transfer Personal Data to countries outside the European Economic Area (EEA) (unless, for example, we are corresponding with a UCD Employee, Student or Respondent who resides outside of the EEA). If any data is processed outside of the European Economic Area (EEA), the UCD SIRC Office will ensure there are measures in place in association with the processor to ensure this is consistent with GDPR. The UCD SIRC Office will comply with its obligations under data protection legislation to ensure such transfers are lawful.

### 6 HOW WE PROTECT YOUR DATA

The UCD SIRC Office has put in place reasonable appropriate administrative, technical, personnel, procedural and physical measures to protect your personal data against loss, theft, unauthorised access, use or modifications. We have a range of security measures in place to protect your personal data including, as appropriate, physical measures such as locked filing cabinets, IT measures such as encryption, and restricted access through approvals and passwords.

Where your personal information is shared, UCD require all third parties to take appropriate technical and organisational security measures to protect your personal information and to treat it subject to a

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duty of confidentiality and in accordance with data protection law. UCD only allow them to process your personal information for specified purposes and in accordance with UCD's legal obligations and UCD contractual agreements.

The UCD SIRC Office will manage a data breach in accordance with University's personal data incident & breach management procedures and Data Protection Law. For further information on identifying and reporting a data breach please refer to the University's [GDPR page](#).

### 7 DATA RETENTION

The UCD SIRC Office will only retain your personal information (including sensitive data) for as long as is necessary to fulfil the purposes for which it was collected and processed, including for the purposes of satisfying any legal, health and safety, reporting or auditing requirements. We will delete your personal data once it is no longer required for these purposes.

For further information regarding retention periods, please contact the [UCD SIRC Office](#).

### 8 YOUR RIGHTS, QUERIES OR COMPLAINTS

It is important that the personal information the UCD SIRC Office hold about you is accurate and up to date. Please keep us informed if your personal information changes, e.g., you change your home address, email, or telephone number.

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have the right to:

- Right to access your data
- Right to have your personal data corrected (rectification), if incorrect
- Right to limit or restrict how your personal data are used; but this is not an absolute right and only applies in certain circumstances
- Right to object to processing which gives you the right to object to the processing of your personal data in certain circumstances

If you have any questions about this Privacy Notice, please contact: [sirc@ucd.ie](mailto:sirc@ucd.ie).

If you wish to lodge a complaint about how UCD processes your personal data, please contact the UCD DPO at [gdpr@ucd.ie](mailto:gdpr@ucd.ie).

You also have the right to lodge a complaint with the Data Protection Commission, Ireland's supervisory authority for data protection, but we do ask that you come to us first and give us the opportunity to address your concerns wherever we can. Details of how to lodge a complaint can be found on the [Data Protection Commission's website](#).

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### **9 CHANGES TO THIS PRIVACY NOTICE**

The UCD SIRC Office reserves the right to update or amend this privacy notice at any time, including where the UCD SIRC Office intends to further process your personal information for a purpose other than that for which the personal information was collected or where we intend to process new types of personal information. We will issue you with a new privacy notice when we make significant updates or amendments. We may also notify you about the processing of your personal information in other ways.

This Privacy Statement was last updated on *23<sup>rd</sup> December 2022*.