



## WEBSITE AND MEMBERSHIP PORTAL PRIVACY POLICY

### 1. WHAT'S IN THESE TERMS?

NHI is committed to protecting your privacy and ensuring that your personal data is protected at all times and accordingly processing of such data is carried out in line with our obligations under the General Data Protection Regulation (GDPR) (EU) 2016/679 (“**GDPR**”) and the Data Protection Acts 1988-2018 (collectively referred to as “**the DPA**”).

This policy (together with our [website and membership portal terms and conditions](#) and any other documents referred to in it) (collectively referred to as “**the Policy**”) sets out the basis upon which any personal data we collect from you, display about you or that you provide to us via our website and/or membership portal will be processed by us.

Reference to “**you/your**” in the Policy means any natural person who visits our website or membership portal, including any registered user or administrator of a particular NHI member.

Please read this policy carefully to understand our views and practices regarding your personal data and how we will treat it. By visiting <http://www.nhi.ie/> <http://nhicareawards.ie> or <http://www.careersinnursinghomes.ie/> (“**Site**”) and/or <https://portal.nhi.ie/portal> (“**Portal**”) you are accepting the practices described in the Policy.

### 2. WHO WE ARE AND HOW TO CONTACT US

- 2.1. For the purposes of the DPA, Independent Nursing Home Ireland CLG, trading as Nursing Homes Ireland (“**NHI**”) acts as data controller in respect of personal data processed through the Site and Portal. NHI is registered in Ireland under company number 447347 and has its registered office at Unit 2051, Block A, Castle Drive, Citywest Road, Dublin 24.

### 3. INFORMATION WE COLLECT FROM YOU

For the purposes of this clause, where we receive personal data about you from a third party i.e. another user/NHI member, we presume that party is lawfully processing your data in line with the DPA and NHI accepts no responsibility for a breach of the DPA by any such third party.

We will collect and process the following personal data about you:

#### 3.1. Information collected via the Site

- 3.1.1. This is information about you that either you or another user/NHI member on your behalf provides to us through the Site for example via the “becoming a member” tab, the “getting in contact” tab or the “login to members area” tab.
- 3.1.2. Ordinarily it includes information such as your name, address, personal description, e-mail address, phone number, your user name and password for logging in to the members area, the nursing home you work for/represent and your position therein and, in some instances, your financial and credit card information where payment is required for any particular reason such as placing orders or booking events

### **3.2. Information collected via the Portal**

- 3.2.1 This is information about you that either you or another user/NHI member on your behalf provides to us through the Portal and includes the personal data referred to at clause 3.1.2 above, together with the personal data referred to at clause 3.2.2 below.
- 3.2.2 Through the Portal additional personal information may be collected about you which includes your log in details, personal information you provide in any Garda vetting application (as per clause 3.2.3 below), details of any specific issues, queries or events which relate to you or in which you are involved.
- 3.2.3 The personal data we receive about you through the Garda vetting process is all the information that you have provided for the purposes of the vetting application which includes your full name, current and previous address(es), date of birth, photographic identification, role you have applied for and relevant organisation and details of all convictions and/or prosecutions, successful or not, pending or completed, in the State or elsewhere.

### **3.3. Information displayed about you on the Site/the Portal**

- 3.3.1 Occasionally NHI will display personal data about you on the Site or the Portal for example, where you have provided us with a testimonial, where you are the author of an article, presentation or paper which we believe may be useful and informative to our current and potential members and/or where you have attended an NHI-related event whereby your photograph may be displayed or you have won an award or recognition or appeared in the media in a manner related the activities of NHI.
- 3.3.2 The personal data processed in this way may include your name, your address/the address of the nursing home where you work, your email address (where you are the personal contact point of a member), your testimonial, your photograph or personal image/voice recording data by way of media coverage and, where you have produced an article, presentation or paper which we have displayed, the contents of that article, presentation or paper.

### **3.4. Additional information we might collect about you via the Site and Portal.**

- 3.4.1 With regard to each of your visits to the Site and Portal we will automatically collect the following information:
  - (i) technical information, including the internet protocol (IP) address used to connect your computer to the internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform;
  - (ii) information about your visit, including the full Uniform Resource Locators (URL), clickstream to, through and from the Site and/or the Portal (including date and time), properties you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), methods used to browse away from the page, and any phone number used to call our customer service number.
- 3.4.2 You will not be personally identifiable from the information we collect about you as set out at paragraph 3.4.1 above and NHI do not combine information collected in this way with any personally-identifiable information.

## **4. COOKIES**

- 4.1. The Site and Portal use cookies to distinguish you from other users. A cookie is a small data file that may be sent to and/or stored on your browser which helps us to provide you with a good experience when you browse the Site and Portal and also allows us to improve these domains. Cookies usually do not identify you personally.

- 4.2. The Site and Portal use session cookies but not persistent cookies. Session cookies are used to deliver basic functions of a website such as allowing pages to remember technical changes or selections you may make between pages. Session cookies are temporary cookies and are generally erased when you close your browser.
- 4.3. By visiting the Site/Portal, you consent to whatever cookies we may send to you, but if you do not wish to receive any cookies, you can set your browser to (1) not accept cookies; or (2) to ask whether or not to accept a cookie, each time you receive a cookie

## **5. PURPOSES FOR WHICH WE COLLECT YOUR INFORMATION**

- 5.1 Information collected or displayed via the Site/Portal (as set out at clauses 3.1- 3.3 above) will be used by NHI for the following purposes:
  - 5.1.1 On the basis of your consent, to provide you with information, products and/or services that you have requested from us, to include registering you as an NHI member, user or administrator where relevant, to respond to issues or queries raised by you, to create events requested by you through the Site/Portal and/or to display your photograph on the NHI events or other sections of the Site/Portal;
  - 5.1.2 In certain circumstances, to carry out our obligations arising from any contracts entered into between you and NHI;
  - 5.1.3 Where you represent an NHI member and on the basis that we have a legitimate interest in ensuring the support, promotion and sustainability of the elderly nursing care sector in Ireland, to provide you with general information in relation to the sector, to notify you of any changes to our services that might affect you and/or to display member/user testimonials;
  - 5.1.4 For the basis of a task carried out in the public interest, to process Garda vetting applications;
  - 5.1.5 To comply with any statutory obligations to which the NHI is subject; and
  - 5.1.6 To ensure that content from the Site/Portal is presented in the most effective manner for you and for your computer.
  - 5.1.7 Information provided for the purposes of Garda vetting will be used for this purpose only and will not be used by the NHI for any other purpose.
- 5.2 Additional information collected via the Site/Portal (as set out in clause 3.4 above) will be used by NHI for the following purposes:
  - 5.2.1 to administer the Site and Portal and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;
  - 5.2.2 to improve the Site and Portal to ensure that content is presented in the most effective manner for you and for your computer;
  - 5.2.3 to allow you to participate in interactive features of our service, when you choose to do so;
  - 5.2.4 as part of our efforts to keep the Site and Portal safe and secure;
  - 5.2.5 to measure or understand the effectiveness of any advertising we serve to you and others via the Site and the Portal, and to deliver relevant advertising to you.

## **6. DISCLOSURE OF YOUR INFORMATION TO THIRD PARTIES**

- 6.1. NHI generally do not share personal information obtained through the Site and/or Portal with any unauthorised third parties. In certain circumstances however, in order to carry out our day to day business activities, it might be necessary to share the personal information you provide to us to limited third parties, including:
  - 6.2.1 The Gardaí where information has been supplied for the purposes of Garda vetting;
  - 6.2.2 External advisers, consultants and/or third party service providers for example IT support companies, mailing companies and/or researchers who carry out projects for NHI or who are instructed on behalf of the NHI; and/or
  - 6.2.3 Where you are a user or administrator of an NHI member, your contact details may be shared as a member contact point with entities that provide special discounted rates for relevant sector products for example with insurance companies or as part of the First Choice purchasing scheme.
- 6.2. In those instances where we are required to share your personal information as set out at clause 6.2 above, we will ensure that the relevant arrangement is put in place with that party, as required pursuant to Article 26 or Article 28 of the GDPR, to ensure your personal information is not used for any reason other than for which it has been provided to that party by NHI and to generally ensure the protection and security of your personal information.
- 6.3. In certain circumstances the NHI may be under a duty to disclose or share your personal data in order to comply with a legal or statutory obligation, or in order to enforce or apply our [website and membership portal terms and conditions of use](#) and other agreements; or to protect the rights, property, or safety of the NHI, our members, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and the prevention of criminal activity.

## **7. HOW LONG DO WE RETAIN YOUR INFORMATION**

- 7.1 NHI will generally only retain your personal data for as long as necessary to fulfil the purposes for which it was collected. This will be longer in some instances than others for example we will usually retain personal data in relation to membership for longer than we will retain information provided for Garda vetting purposes.
- 7.2 In some circumstances it may be necessary to retain your personal data for longer than the purpose for which it was collected for example to comply with any relevant legal requirement or where we believe it is necessary to retain the information for longer for example to allow us to defend an actual or anticipated legal claim.
- 7.3 We will securely delete your personal information when it is no longer required.

## **8. TRANSFERS OUTSIDE THE EUROPEAN ECONOMIC AREA (“EEA”)**

- 8.1 NHI will generally not process your personal data outside the EEA.
- 8.2 If for any reason we are required to process your personal data outside the EEA, we will ensure that such a transfer takes place strictly in accordance with one of the methodologies permissible by law, such as, for example the adoption of Model Contract Clauses approved by the European Commission, the selection of transferees which subscribe to programs pertaining to the free movement of data (e.g. the EU-USA “Privacy Shield”) or which operate in countries considered as safe by the European Commission pursuant to Article 45 of the GDPR.

## **9. YOUR RIGHTS**

- 9.1 Subject to limited exceptions, you have a number of rights in relation to your personal information under the DPA including:

- 9.1.1 The right to information about what data we hold about you;
- 9.1.2 The right to a copy of all data we hold about you either by way of a data access request or, in a machine readable format, by way of a data portability request;
- 9.1.3 The right to object to our processing of your data;
- 9.1.4 The right to request that your personal information be erased or restricted from further use;
- 9.1.5 The right to correct amend or update information you have given us;
- 9.1.6 Where we process your personal data on the basis of your consent (as per clause 5.1.1 above), the right to withdraw this consent at any time.
- 9.2 To exercise any of the above rights please e-mail us at [info@nhi.ie](mailto:info@nhi.ie). Please note that whilst we will carefully assess every request we receive we may not always have to comply. When this happens, we will explain why.

## **10. QUERIES/COMPLAINTS**

- 10.1 If you have any questions about the contents of the Policy or if you are not happy with the way in which NHI handle/have handled your personal data or have dealt with a rights request, please contact us by e-mail at [info@nhi.ie](mailto:info@nhi.ie).
- 10.2 If you are not satisfied with the response you receive from us you also have a right to complain to the Data Protection Commission whose details are:-

Office of the Data Protection Commission  
Canal House  
Station Road  
Portarlinton  
Co. Laois  
Email: [info@dataprotection.ie](mailto:info@dataprotection.ie)

## **11. OTHER IMPORTANT INFORMATION**

- 11.1 The Site and/or the Portal may contain links to and from websites of other parties for example through the 'links' tab of the Site. If you follow a link to any other website, please note that such websites should have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.
- 11.2 All information you provide to us is stored on our secure servers. Where we have given you (or where you have chosen) a user name or password which enables you to access certain parts of the Site and/or Portal, you are responsible for keeping this password confidential. We ask you not to share a password with anyone.
- 11.3 Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data and any transmission of your personal data via the Site or Portal is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

## **12. CHANGES TO THIS POLICY**

- 12.1 Any changes we make to the Policy in the future will be posted on this page and, where appropriate, notified to you by e-mail. Please check back frequently to see any updates or changes to the Policy.