

NER APP DPIN

1. Purpose

The Health Service Executive (HSE) as the data controller for the NER APP (including the DIME Team within National Doctors Training & Planning (NDTP, Medical HR Departments, Occupational Health Departments and HSE ICT) must comply with all applicable data protection, privacy and security laws and regulations in the locations in which we operate. We respect your rights to privacy and to the protection of your personal information. The purpose of this privacy information notice is to explain how the National Employment Record (NER) APP works, what data is collected by the APP, who has access to that data and the purposes for which the data is used. This notice also provides you with information about your data protection rights under data protection law.

The app is available to download for free from Apple App Store and Google Play Store. The app runs on iPhones that support IOS 9.0 and higher and Android phones running Android 7.0 and higher.

2. The Information we process

In order for us to reduce the repetitive completion of paperwork by NCHDs rotating to different hospitals / employers it is necessary for the HSE to collect and process various categories of personal information about you through the NER APP.

3. Types of information we collect

Personal data means any information relating to you which allows the HSE to identify you such as your name and address, contact phone numbers and e-mail address. The HSE will collect the following personal and special category information about you:

- Personal Details - First Name, Surname, Title, Known As, Previous Surname
- Gender
- Marital Status Date of Birth
- Nationality
- PPSN
- Medical Council Registration Number
- Clinical Site
- Account Status
- Contact Details
- Next of Kin Details
- Bank Details
- Garda Vetting
- Work Permit
- Scanned Passport
- Birth Certificate
- GNIB Card
- International English Language Testing System (IELTS) Certificate
- Marriage Certificate
- Training Certificates
- Curriculum Vitae
- Evidence of International Medical Experience
- Occupational Health: Pre Employment Health Assessment
- Immunisation Status
- EPP Status
- Training Supports / Clinical Course Exam & Refund Scheme Applications
- Training Supports Scheme / Clinical Course Exam & Refund Scheme Supporting Documentation
- e-Portfolio

Additional information on why the HSE collects and processes this personal data can be found in the NER Terms & Conditions which are located on the login screen of the NER APP. Health related data such as the Occupational Health details form and certificates are only viewable by NCHDs employer's Occupational Health Department.

Occupational Health data will be processed by Occupational Health Departments and the outcome of this Occupational Health assessment i.e. to determine fitness for employment will only be viewable by Medical HR departments to the extent that it is necessary for the Medical HR department to fulfil its legal and workplace policy obligations.

Occupational Health data will be viewable by current employer's Occupational Health Department, any future employer's Occupational Health Department when the NCHD has been matched to their next rotation and the national administrators of the system within NDTP have 'super user' rights to oversee all other database users, to provide a help desk function to Occupational Health NER users and to run statistical reports at a national level.

4. What the NER APP does

The NER was introduced in 2015 following a recommendation highlighted in the strategic review of medical training and career structures (MacCraith Report). It was designed to reduce the repetitive completion of paperwork by NCHDs rotating to different hospitals / employers.

The NER APP is an extension of the current NER web based portal which is an online management system which enables NCHDs to interact virtually with Medical HR in order to upload pre-employment screening documentation such as their hire form and training certificates. Medical HR can also upload mandatory documentation on behalf of an NCHD such as Garda Vetting, for example.

The NER APP also allows NCHDs to interact with Occupational Health Departments nationally in order to complete their pre-employment health assessment online and upload immunisation status documentation.

In addition, there is also a Training Supports Scheme (TSS) and Clinical Course Exam & Refund (CCERS) Scheme section on the NER which enables NCHDs to submit funding claims covered under both the TSS & CCERS Schemes by completing an online application form and uploading supporting documentation such as receipts and certificates of attendance.

More recently, an E-Portfolio section is now available which allows Non Training Scheme Doctors to record their career development and have their experience validated via their NER account

5. How your data is stored and shared:

5.1 Subject to section 5.2, your occupational health details form and certificates are only viewable by your employer's Occupational Health Department ("OHD") and all other details are only viewable by your Medical HR department.

5.2 Occupational Health data will be processed by your Occupational Health Department and the outcome of this Occupational Health assessment i.e. to determine fitness for employment will only be viewable by your Medical HR department to the extent that it is necessary for the Medical HR department to fulfil its legal and workplace policy obligations.

5.3 Your Occupational Health data will be viewable by your current employer's Occupational Health Department, any future employer's Occupational Health Department when you have been matched to your next rotation and the national administrators of the system within NDTP have 'super user'

rights to oversee all other database users, to provide a help desk function to Occupational Health NER users and to run statistical reports at a national level.

5.4 In accordance with these terms and conditions, your NER will only be visible to:

- your current Employer's HR Department or equivalent (hereafter known as the Employer's HR Department);
- your future Employer's HR Department when you have been matched to your next rotation;
- your current Employer's Occupational Health Department;
- your future Employer's OHD when you have been matched to your next rotation;
- the national administrators of the system within NDTP who have 'super user' rights to oversee all other database users, to provide a help desk function to users, to assist with troubleshooting any system issues and to run statistical reports at a national level;
- Open Sky Data Systems (hereafter known as OSDs). This is the external database management company engaged by NDTP to provide system support and expertise.

5.5 Your current Employer's HR Department and OHD will have access to your account for 60 days post-employment only, in order to allow them to add any residual documents after you have moved to your next post.

5.7 In order for your current Employer's OHD to provide your occupational health records to your future Employer's OHD, in accordance with the terms of use of the NER account, the HSE and your Employers rely on your explicit consent to the sharing of your health data in this way.

5.8 The personal information uploaded to your NER account will be stored by the HSE in accordance with the HSE Record Retention Policy for as long as you maintain a registered account. Your account will be deactivated after a period of 365 days from the date of last activity. Your personal information that is collected by your current and future employers through the NER database in accordance with the terms of use may be held for as long as is required by that employer's policies. Please refer to the relevant employer's policies for information about their data retention policies.

6. What is the legal basis for processing your data?

7.1 Under the General Data Protection Regulation (GDPR), the lawful bases for the processing of your data, including your health data, is your explicit consent provided by you when you accept the terms of this Notice and conditions for use of the NER portal below.

7.2 Under the General Data Protection Regulation (GDPR), the lawful bases for processing your information which is shared with the HSE and/or your Employer's HR Department and OHD from your NER account are:

- I. Legitimate interests;
- II. The performance of the contract with you to provide the NER online service;
- III. Consent;
- IV. for the purposes of carrying out the obligations and exercising specific rights of the HSE and your Employers or you in the field of employment and social security and social protection law;
- V. where it is necessary for the purposes of the assessment of your working capacity, or the provision of health or social care or treatment or the management of health or social care systems.

7.3 The HSE, your Employer's HR or OHD may also process your health data contained on your NER account in the following exceptional circumstances:

- I. where it is necessary to protect your vital interests;
- II. where it is necessary for the establishment, exercise or defence of legal claims;
- III. where it is necessary for reasons of public interest in the area of public health.

7. Security Measures

The app takes multiple steps to ensure that data security and app access are restricted closely to authorized users.

Multi-factor authentication sign-in process: On registration (or in the case of existing users, on initial authentication to the app), each user will be asked to provide a valid mobile number.

Authentication of a user subsequently follows a Multi-factor authentication (MFA) sign-in process. This process must be followed every single time a user wants to obtain access to the app:

- The user will perform the initial authentication by entering the following credentials on the login screen: Email Address, Password and Date of Birth
- The system will verify that these details are correct
- Once the initial details are verified a six digit code is sent to the registered mobile number. The code has a validity of 5 minutes and after this period will need to be requested again
- The user enters this number and only once the system verifies the code is valid will the user have access

The system also enforces the following regarding access credentials:

- Strict rules regarding password strength to enforce strong password creation
- Regular password resets are enforced
- Abuse of the code resending functionality will result in accounts being blocked to prevent suspicious access

Secure Data Transport Protocols

All data transfer to and from the app will be encrypted via HTTPS with the latest version TLS with strong cipher suites.

Device restriction

Simultaneous logins to system accounts are not enabled. Only one active login to a user's NER account is permitted at any given time. This means that if a user logs in via the web system while already logged in to the app, they will be immediately logged out of the app.

8. Retention Period

We will only retain information for as long as necessary and in line with the HSE Records Retention Policy, which can be found at:

https://assets.hse.ie/media/documents/Record_Retention_Periods_Policy.pdf

9. Your Rights

You have the following rights as a data subject under the GDPR in respect of your personal data that are processed by the app.

- **Your right of access** - You have the right to ask the HSE for copies of your personal information.

- **Your right to rectification** - You have the right to ask the HSE to rectify personal information you think is inaccurate. You also have the right to ask the HSE to complete information you think is incomplete.
- **Your right to erasure** - You have the right to ask the HSE to erase your personal information in certain circumstances.
- **Your right to restriction of processing** - You have the right to ask the HSE to restrict the processing of your personal information in certain circumstances.
- **Your right to object to processing** - You have the right to object to the processing of your personal information in certain circumstances.
- **Your right to data portability** - You have the right to ask that the HSE transfers the personal information you gave us to another organisation, or to you, in certain circumstances.
- **Request transfer of your personal information** in an electronic and structured form to you or to another party (commonly known as a right to 'data portability'). This enables you to take your data from us in an electronically useable format and to be able to transfer your data to another party in an electronically useable format.

To request a copy of your data or address any of your rights listed above, please contact the HSE Data Protection Officer on DPO@HSE.ie or +35316350359. Additional information is also available here: <https://healthservice.hse.ie/staff/procedures-guidelines/data-protection/>

You also have the right to make a complaint to the Data Protection Commission at any time in relation to any issues related to our processing of your personal data. The Data Protection Commission can be contacted as follows:

- Via their website: www.dataprotection.ie
- By post: Data Protection Commission, 21 Fitzwilliam Square, Dublin 2, D02 RD28, Ireland

Contact details

If you have any queries in relation to Data Protection or other issues around the security of your personal information

For more information about the steps we are taking to protect your information

For more information about your rights, including the circumstances in which you can exercise them and how to exercise them,

If you wish to raise a complaint on how we have handled your personal information, you can contact our Data Protection Officer who will investigate the matter. We hope that we can address any concerns you may have.

Data Protection Officer HSE	Email: dpo@hse.ie
	Phone: 01-6352478
	Address: Dr Steevens Hospital, Steevens Lane, Dublin 8

10. Changes to this Data Protection Information Notice

This Data Protection Information Notice may change from time to time and NCHDs will receive notification of such updates via email

11. Further Information

Further information about the NER APP can be found on the NDTP webpage: www.hse.ie/doctors or by contacting the dedicated DIME Team Monday – Friday on dime.team@hse.ie