

**Spirasi GDPR Consent and Privacy Notice**  
**1 September 2020**

**Part A: Client Consent To Process Special Data at Assessment**

**Spirasi:** Spirasi is an Irish organisation helping survivors of torture most of whom are asylum seekers, refugees, or other disadvantaged migrant groups. In Spirasi our aim is to provide a holistic rehabilitation to those who have suffered torture, through medical, therapeutic, social and integration support.

**Special Information:** In recognition of your right to privacy, we are seeking your permission to collect and process your "*Special Information*". This is data revealing:

- your racial or ethnic origin
- political opinions, religious or philosophical beliefs
- trade-union membership
- health-related data
- data concerning your sex life or sexual orientation
- biometric data processed solely to identify you
- criminal convictions

**Your Consent:** Spirasi seeks to use your Special Information for the purposes outlined below. You do not have to provide your consent and you may withdraw consent at any time. Where consent is not provided or it is withdrawn we will cease use your special information for the relevant purpose.

Please confirm that you are happy to agree to the following:

- I agree for my special information to be used **by Spirasi** where required to conduct my assessment or to provide or obtain clinical care, social care or related support for me.  
YES  NO
  
- I agree for my special information to be **anonymized for internal and external research and reporting purposes.**  
YES  NO
  
- I agree for my special information including photographs to be used for **preparing reports** where required for **my assessment, care and support** including the preparation of Medico-Legal Report and clinical letters (such as routine feedback letters to my GP).  
YES  NO

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- I agree to receive consultations with Medical Professionals and other Clinical Team Members using **Secure Video and Audio Consultations**, if necessary, for my **assessment, care and support**.

YES  NO

- I agree that where required for **my assessment, care and support**, Spirasi may share my personal and medical information with **non-Spirasi persons** for the above purposes, such as Health Care Professionals, Social Care Professionals, Legal Professionals, Accommodation Providers and other Agencies related to your care.

YES  NO

Should you wish to withdraw your consent at any time, you should contact the Data Protection Officer at [info@spirasi.ie](mailto:info@spirasi.ie); or write to Data Protection Officer, Spirasi, 213 North Circular Road, Phibsborough, Dublin 7. Please note this may impact on our ability to provide our services.

I \_\_\_\_\_ (*Name of client in block capitals*), agree and consent for my data to be used for the purposes that I have indicated above.

Signed: \_\_\_\_\_ (*Client*) Date: \_\_\_\_\_

I \_\_\_\_\_ (*Name of Interpreter in block capitals*) have explained each section of this client consent in \_\_\_\_\_ (*Insert language*) and the client has acknowledged and confirmed that they understand each section of the form and the choices they have made before signing.

Signed \_\_\_\_\_ (*Interpreter*) Date: \_\_\_\_\_

We are a registered charity (Irish registered charity number 16923) and company (Irish registered company number 476831). Our full name is Spiritan Asylum Services Initiative. Please read our Privacy Notice for full details on how we use personal information.

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**Part B: Privacy Notice**

**About Us**

We are Spirasi. Within this Privacy Notice 'we' and 'us' means Spirasi. We aim to help those who flee torture and severe trauma through our services.

In order to provide our services to you, we need to use your personal information. We are committed in all our uses of your personal data to protecting and respecting your privacy. This Privacy Notice will tell you about what personal data we collect, how we use your personal data and your right to protect your personal data. If you do not understand any part of this Privacy Notice please ask the Data Protection Officer at [info@spirasi.ie](mailto:info@spirasi.ie); or write to Data Protection Officer, Spirasi, 213 North Circular Road, Phibsborough, Dublin 7.

We are a registered charity (Irish registered charity number: 16923) and company (Irish registered company number: 476831). Our full name is Spiritan Asylum Services Initiative

**1. Your Personal & Special Information**

Your *personal information* is any information about you that can be used to identify you including your name, date of birth, postal address, e-mail address and telephone number.

Certain categories of your personal information are regarded as *special*. Special information includes information relating to an individual's physical or mental health, religious, philosophical or political beliefs, trade union membership, ethnic or racial origin, biometric or genetic data and sexual orientation.

**2. What personal information do we collect? Why do we collect it?**

Type of Personal Information	Purpose	Legal Basis
<b>Administrative:</b> name, address, contact details (phone, mobile, email), dates of appointments.	To support the administration of our organisation including the provision of services to you and information about services.	This processing is necessary for our legitimate interests in managing Spirasi's charitable activities. You have the <b>right to object</b> to us processing your personal data on this basis.

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<p><b>Medical Record:</b> Individual Health Identifier, date of birth, religions, country of origin, sexual orientation, gender, family history, contact details of next of kin, contact details of carers, asylum application number, PPSN, Medico-Legal reports, photographs, medication details, current and past medical history, laboratory test results, imaging test results and other data required to provide medical data.</p>	<p>To conduct medical assessments, prepare reports based on medical assessments including the preparation of Medico-Legal and clinical letters.</p>	<p>We will only use your <b>special data</b> where one of the following is satisfied:</p> <ul style="list-style-type: none"> <li>i. you have explicitly consented</li> <li>ii. it is necessary to protect your vital interests where you are not capable of consenting</li> <li>iii. it is necessary for medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems as provided by the Data Protection Act 2018.</li> <li>iv. it is necessary for the purposes of providing or obtaining legal advice in connection with legal proceedings, or for the purpose of exercising and defending legal rights.</li> </ul>
	<p>To provide or obtain clinical care, social care or related support.</p>	<p>(i) and (iii) as above.</p>

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	For research purposes. The purposes and legal basis for which Spirasi processes personal and health research data is available upon request.	We will only use your special data for health research purposes where you have explicitly consented.
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**3. Who do we share your information with?**

With regard to assessments and your ongoing care and support of our clients, we may share data with the following non-Spirasi persons:

<b>Health and social care providers</b>	GPs, HSE, hospitals and clinics, occupational therapists, speech and language therapists, social workers, pharmacies, counselling services, hospital laboratories.
<b>Service Providers</b>	Service providers under contract with us including IT providers such as Salesforce and Thesaurus Software.
<b>Other Third Parties</b>	Solicitors, Social Protection, the International Protection Office, Tusla, Reception Integration Agency and accommodation providers such as De Paul Trust.

**4. How long do we keep your personal information?**

We may retain your Personal Data **indefinitely** for the purposes of providing services to you. We will also retain Personal Data for so long as required by law and for the exercise or defence of legal claims.

For more information, please contact ask the Data Protection Officer at [info@spirasi.ie](mailto:info@spirasi.ie); or write to Data Protection Officer, Spirasi, 213 North Circular Road, Phibsborough, Dublin 7.

**5. Transfers of Information**

The data that we collect from you may be transferred to, and stored at, destinations both within and outside the European Economic Area (**EEA**), for example, we use an IT provider that is located in the US .

We want to make sure that your personal data is stored and transferred in a way which is secure. We will therefore only transfer data outside of the EEA where it is compliant with the GDPR and the means of transfer provides adequate safeguards in relation to your data. For example, this could be:

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- by way of a data transfer agreement with a third party, incorporating the current standard contractual clauses adopted by the European Commission for the transfer of personal data by controllers in the EEA to controllers and processors in jurisdictions without adequate data protection laws; or
- by transferring your data to a country where there has been a finding of adequacy by the European Commission in respect of that country's levels of data protection via its legislation; or
- where you have explicitly consented to the data transfer.

Where we transfer your personal data outside the EEA and where the country or territory in question does not maintain adequate data protection standards, we will take all reasonable steps to ensure that your data is treated securely and in accordance with this Privacy Notice.

## 6. Your Rights

You have number of rights in relation to how we use your personal information.

<b>Object</b>	You have a right to object to us processing your personal information where we do so on the basis of our legitimate interests to do so for research purposes.
<b>Withdraw consent</b>	Where we have obtained your consent to process your personal information, you may withdraw this consent at any time. We will cease to use your data for that purpose unless we consider that there is an alternative legal basis to justify our continued processing of your data for this purpose, in which case we will inform you of this condition.
<b>Access</b>	You may ask us for a copy of the information we hold about you at any time, and request us to modify, update or delete such information. If we provide you with access to the information we hold about you, we will not charge you for this unless permitted by law. If you request further copies of this information from us, we may charge you a reasonable administrative cost. Where we are legally permitted to do so, we may refuse your request. If we refuse your request we will always tell you the reasons for doing so.
<b>Deletion</b>	You have the right to request that we "erase" your personal data in certain circumstances. Normally, this right exists where: <ul style="list-style-type: none"><li>• It is no longer necessary for us to hold the information for the purpose for which we obtained it;</li><li>• You have withdrawn your consent to us using your information, and there is no other valid reason for us to continue;</li><li>• Your information has been processed unlawfully;</li></ul>

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	<ul style="list-style-type: none"><li>• It is necessary for the information to be erased in order for us to comply with our obligations under law; or</li><li>• You object to the processing and we are unable to demonstrate overriding legitimate grounds for our continued processing.</li></ul> <p>We would only be entitled to refuse to comply with your request for erasure in limited circumstances and we will always tell you our reason for doing so. When complying with a valid request for the erasure of data we will take all reasonably practicable steps to delete the relevant data.</p>
<b>Restrict processing</b>	You have the right to request that we restrict our processing of your personal information in certain circumstances, for example if you dispute the accuracy of the personal information that we hold about you or you object to our processing of your personal information for our legitimate interests. If we have shared your personal information with third parties, we will notify them about the restricted processing unless this is impossible or involves disproportionate effort. We will, of course, notify you before lifting any restriction on processing your personal information.
<b>Rectification</b>	You have the right to request that we rectify any inaccurate or incomplete personal data that we hold about you. If we have shared this personal data with third parties, we will notify them about the rectification unless this is impossible or involves disproportionate effort. You may also request details of the third parties that we have disclosed the inaccurate or incomplete personal data to. Where we think that it is reasonable for us not to comply with your request, we will explain our reasons for this decision.
<b>Portability</b>	If you wish, you have the right to transfer your personal data between service providers. In effect, this means that you are able to transfer the details we hold on you to another third party. To allow you to do so, we will provide you with your data in a commonly used machine-readable format so that you can transfer the data. Alternatively, we may directly transfer the data for you.
<b>Contact Us</b>	If you wish to exercise any of these rights, please contact us at <a href="mailto:info@spirasi.ie">info@spirasi.ie</a> or call us at (01) 838 9664. We will respond to your request within one month. That period may be extended by two further months where necessary, taking into account the complexity and number of requests. We will inform you of any such extension within one month of receipt of your request. We may request proof of identification to verify your request. We have the right to refuse your request where there is a basis to do so in law, or if it is manifestly unfounded or excessive, or to the extent necessary for important objectives of public interest.

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**Further information**

You also have right to lodge a complaint with the Data Protection Commission or another data protection authority, in particular in the Member State of your residence, place of work or place of an alleged infringement, if you consider that the processing of your personal data infringes the GDPR.

Further information in respect of your rights is available at the website of the Office of the Data Protection Commission, [www.dataprotection.ie](http://www.dataprotection.ie).

**Changes to how we use your Personal Information**

This Privacy Notice was last updated on 1 September 2020 and may change from time to time. We will use your more recent contact details we have to notify you of material changes.

**7. Contact Us**

If you have any questions about this Privacy Notice or the privacy and/or security of personal information submitted to us, please email the Data Protection Officer at [info@spirasi.ie](mailto:info@spirasi.ie); write to Data Protection Officer, Spirasi, 213 North Circular Road, Phibsborough, Dublin 7. All requests will be dealt with promptly and efficiently.



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