

Fresenius Kabi Homecare Services Fair Processing Notice

We have been asked by your Referring Body to provide and delivery your medical and or nutritional requirements.

We understand and respect the importance of protecting your privacy and are committed to being transparent about why we need your personal data and what we do with it. This Fair Processing Notice provides you (as the patient or representative of the patient) with information about how we will process your personal data to deliver your medical and/or nutritional products and ancillary items to you and provide you with care. It also explains your rights when it comes to your data.

When we use the term “we” or “us” in this fair processing notice, it means Fresenius Kabi Limited with a place of business Fresenius Kabi Ireland Unit 3B Fingal Bay, Balbriggan, Co Dublin, Ireland who provide the products and ancillary items, pharmacy, nursing and homecare services.

We’re registered with the Information Commissioner’s Office (ICO) to process personal and special categories of information under the Data Protection Act 2018 and our registration numbers are:

- Calea UK Limited: Z591294X.
- Fresenius Kabi Limited Z5912914

Our Data Protection Officer is registered with the Data Protection Commission in Ireland

As part of the services we offer, we are required to process personal data about our patients and, in some instances, the relatives or carers of our patients.

“Processing” can mean collecting, recording, organising, storing, sharing or destroying data.

What Types of Personal Data do we collect and keep about you So that we can provide a safe and professional service, we collect and keep certain records about you and in some cases your relative or carer too.

We collect and keep the following types of data:

- Your basic details and contact information including your name, address, telephone & mobile number, date of birth and carer;
- Contact details for your carer
- Where necessary details of your insurers to confirm how you are funding your care and treatment.
- Delivery instructions, this could include details of a second delivery address or your neighbours delivery address.

We also collect and store the following data which is classified as “special category”:

- Information on your diagnosis which could include records of your nutritional and medical home care requirements being prescribed by your referring body.
- Details of your medical history, this could include any procedures or operations you have undergone recently.
- Details of your General Practitioner, and care services that you receive.

How do we collect your Personal Data?

In order for us to provide Homecare services and nutritional products to you we collect your data from the following sources:

- The **Referring body** this could include the Hospital (HSE or Private), clinician or dietician that has referred you to us to provide our Homecare Services.
- **You** when you complete our forms, visit our websites, change your information, contact us or we visit you as part of the services we provide to you
- When you visit our website or interact with us on social media
- **Other people** – others authorised to act on your behalf or receive your products when we carry out deliveries

In some circumstances we also receive the data from:

- A Parent, guardian or responsible person or carer

- Social care and safeguarding agencies – to enable us and them to carry out our legal obligations for patient safety and care

Why do we keep your Personal Data?

We keep use the information so that we can provide you with high-quality home care services and nutritional products and ancillary products. We must keep records about the care you receive from us. We will:

- Keep your information confidential
- only share your information with authorised and vetted third-parties, agencies or people
- use it lawfully, fairly and in a transparent way

Our staff are trained to handle your information correctly and protect your privacy, and all have contractual obligations of confidentiality.

We aim to maintain high standards, adopt best practice for our record keeping and regularly check and report on how we are doing. Your information is never used for direct marketing, or any purposes unrelated to the products and services we are providing to you.

What is the Legal Basis for processing my Personal Data?

Data Protection laws state that we need to have a lawful basis for processing your personal data, we will only use your personal information when permitted by the law. Most commonly, we will use your personal information in the following circumstances:

- If you are an HSE or Private Patient, the Referring Body will obtain your consent to provide your personal data to us. Once we have registered you as our patient and are providing our services to you, we are the controller of that information.
- When we are processing your personal information to provide your care, register you as a patient, and/or to deliver your services, we rely on the legitimate interest of delivering nutritional and homecare services which the referring body has commissioned. When relying on legitimate interests we will only use your data in ways that you would reasonably expect to provide our services and as described in our patient Welcome Pack.
- To offer the nutritional, medical and homecare Services so as to fulfil our contractual obligations in the service agreement with the referring body.
- We may also use your personal data to comply with our legal obligations set by our regulatory bodies. There may be situations where we are under a duty to share your information with third parties. For example, we may be required by law to report certain information including with the Health Information and Quality Authority who inspect the quality and safety of the care we provide or if a formal court order has been issued. We may also have to share your information when it's absolutely necessary for the prevention or detection of crime or prosecution of offenders or where there are serious risks to the

public or our staff.

- Where we are processing information relating to your health including your nutritional requirements and ancillary needs, this is a special category data. Under data protection laws we need to have an additional justification for collecting and storing this information. As a Homecare provider we rely on the provision of healthcare and treatment to process your special category data to provide our Homecare services.

How do we use your Personal Data?

Information collected about you to deliver your healthcare is used to:

- create and maintain a record of your care and treatment and to communicate with you, your hospital and healthcare professionals
- compound your specific medical/nutritional product
- create and manage your prescription records (if applicable)
- contact you to arrange your delivery
- allow us to dispense (if applicable) and deliver the correct products to you to administer your medical and/or nutritional requirements
- facilitate a nurse or healthcare professional to visit you (if necessary)
- answer any questions or concerns you may have and provide healthcare support
- provide pharmacy services (if applicable) to you and give you information about your medical and/or nutritional requirements
- ensure that we charge the HSE or other bill payer the correct amount for our services delivered to you
- provide regular reminders in accordance with your services, e.g. for deliveries, nurse visits or medical and/or nutritional requirements
- provide advice to help you to get the best from your treatment and understand your level of engagement with your treatment through statistical and monitoring information
- to keep an audit trail of the services that we provide e.g. recording calls, system logs etc
- provide remote care, using technology platforms and assessments, as required for your service
- enhance staff safety
- where your care is funded, to communicate with private medical insurance companies

We may also use your information to improve our services:

- making sure your care is of a high standard – we conduct patient engagement surveys to see how well we're doing and to help us to improve our services to you based on your feedback

- helping train staff to carry out their roles
- reporting and investigating complaints, claims and untoward incidents
- to record and manage (where appropriate) any adverse events or side effects relating to your parenteral nutritional requirements that you tell us about
- reporting events to the appropriate authorities when we are required to do so by law

Who will we share your Personal Data with?

Within our Group Companies

Your information will only be shared with those involved in your care or administration of your care. This may include Calea Limited (our compounding unit) and Fresenius Kabi Limited but only to the extent required to delivery your care or administration of your care. Your information may be shared with teams including our nurse advisers, patient support services and resource planners who book appointments and answer patient queries, our pharmacists, our complaints and quality team, and our warehouse and distribution team.

All our staff and contractors receive appropriate and on-going training to ensure that they are aware of their personal responsibilities and have contractual obligations to uphold confidentiality. This is enforceable through disciplinary procedures. Staff only have access to personal information where it is appropriate to their role and is on a strictly “need to know” basis.

We share your data within our wider Fresenius group; some of your data will be stored on servers in Germany and hosted by Fresenius Netcare GmbH, Else-Kröner-Straße 1, 61352 Bad Homburg, Germany.

We store your data in the cloud. This means that your personal data may be processed by cloud service providers and stored in different countries (including Ireland, United Kingdom and Germany). We require these providers to implement similar data protection measures as we take based upon contractual arrangements.

Anyone who receives information from us also has a legal duty to keep this information confidential.

Third Party Suppliers

We may pass your information to third-party suppliers from time to time to support us in the purposes set out above. We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow third-party suppliers to use your data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions. We'll only share information with those who have a legitimate right to know, suppliers that we may share your information with include:

- Compounding units, details of your nutritional formulation request are sent here to be reviewed and finalised. The information sent includes your name, address and details of the nutritional or medical product you're being prescribed and medical requirements.
- Pharmacies, we send your final prescription request to a pharmacy to be dispensed, the information sent includes, your Full Name, Address & Postcode, Details of the Nutritional or medical product you're being prescribed.
- Nursing Services, from time to time it may be necessary for us to use one of our nursing providers, when we do, we send to them your name, address, telephone number, medical history.
- Waste disposal partner – sometimes we may need to arrange to collect medical waste from your address, when we do we will send your name, address and telephone number so your address can be visited and the collected.

Warehouse and Distribution Partners

The Referring Body should have discussed with you the delivery service that we provide and will have requested your consent to pass your details to us. We'll provide your details to our delivery partners to enable them to deliver promptly to you. The information required by the delivery partners includes:

- full name
- full address & postcode
- telephone number (landline or mobile in the event that they need to contact you directly for directions)
- any special delivery instructions or second delivery address details

The delivery partners may get knowledge of your health information because of delivering the packages to you. We require the delivery partners to implement similar data protection measures we take based on contractual arrangements.

We may also share your information with:

- IT providers and website hosts who help us run our business
- Regulators including the Health Information and Quality Authority, Data Protection Commission Office Ireland, Information Commissioner's office and Medicines and Healthcare products Regulatory Agency
- Insurance companies – for the purposes of defending or investigating a claim
- Private Medical Insurers
- Law enforcement agencies
- Auditors – external or internal as part of our performance reporting or compliance with legal and regulatory obligations.

How do we store/hold your personal data?

We create and hold your records electronically and sometimes in hard copy where necessary. Any information we hold about you is held securely and is only accessible to those who are involved in your care or have a legitimate need to access the information. The information held about you will not be shared for any other reason, unless:

- you ask us to do so
- we ask and you give us specific permission
- we are required by law

How long do we keep your personal data ?

For retention and deletion of your personal data we follow our legal obligations, industry guidelines and internal processes. We'll only hold your information for as long as is needed to be able to provide services to you, or (in the case of any contact you may have with our Patient Services team) for as long as is necessary to provide support-related reporting and trend analysis (anonymised).

We'll hold your information as needed for the following purposes:

- meet legal or regulatory requirements
- resolve disputes
- prevent fraud and abuse
- enforce our terms and conditions

We may also keep some of your information, even after it is no longer needed to provide the services to you, for historical purposes. Our records will be kept in line with the law and national guidance.

Your rights

If we need to use your personal information for any reason beyond those stated, we will discuss this with you and ask for your permission to do so - you will have the option to agree or disagree. This is explicit consent.

Data protection law gives you the following rights in respect of the personal information that we hold about you:

- To ask for access to your information. This includes all your stock card/pharmacy records, patient records and training records about you
- To ask for your information to be corrected if it is inaccurate or incomplete.
- To ask for your information to be deleted or erased (not applicable to your health or care record or where we process information for public health purposes)
- To ask us to restrict the use of your information in some circumstances.
- To object to processing in certain circumstances
- To request your personal information be transferred to other providers in certain circumstances
- To raise any complaints with the Information Commissioner's Office.

You can do any of the above in writing, by telephone or using the form on our website <https://www.fresenius-kabi.com/ie/data-privacy>.

We ensure that all records are kept confident, secure and accurate in line with regulatory guidance.

If you have any queries on the use of your information or wish to lodge a complaint, you can contact our Irish Local Data Protection Adviser:

Fresenius Kabi Ireland

Unit 3B Fingal Bay

Balbriggan

Co. Dublin

Ireland

Email: FK-enquiries.ireland@fresenius-kabi.com

Or, you can contact our Data Protection Officer in Germany:

Email - dataprotectionofficer@fresenuis-kabi.com

If you're unhappy with the outcome of your enquiry, then you can contact:

Data Commissions Office: <https://www.dataprotection.ie/en/contact/how-contact-us>

ICO: The ICO <https://ico.org.uk/global/contact-us/> Tel: 0303 123 1113

