20 Harcourt Street, Saint Kevin's,
Dublin 2, D02 PF99
Info@EmeraldNursing.ie
(0818) 485 682
Company No. 606340

1. WHO ARE WE?

We are Emerald Nursing Limited ("ENL", "we", "our", "us"). Our registered office is at 20 Harcourt St, Saint Kevin's, Dublin 2, D02 PF99. Emerald Nursing is the data controller in respect of personal data which we collect and process to provide our Services.

We provide recruitment services for temporary nursing and healthcare staff to healthcare service providers ("our Services").

We take the protection of your personal data seriously.

This notice sets out the basis on which any personal data we collect from you, or from others, will be processed by us. Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

Our data protection contact may be contacted at 20 Harcourt St, Saint Kevin's, Dublin 2, D02 PF99 **or** by email gdpr@emeraldnursing.ie.

2. THIS DATA PROTECTION POLICY

This Policy applies to all who work with us, whether as employees or contractors on a temporary or permanent basis ("staff"). This Policy describes how we collect and use personal information about you during and after your working relationship with us.

This Policy sets out the basis on which any personal data we collect from you, or that you provide to us, will be processed by us. This is set out in detail in **Part 1**. Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

The Policy also sets out your data protection rights as staff members. We have set out, at **Part 2**, an overview of data protection definitions and principles and details of your obligations when dealing with personal data while working with us.

We also have a Privacy Notice available at **https://emeraldnursing.ie/privacy-policy/** which sets out details of how ENL manages personal data generally. You agree that you will comply with ENL's Privacy Notice, and the data protection obligations included at Part 2 of this Policy, when handling Personal Data in the course of your employment/during your contract with us. This includes Personal Data relating to any employee, customer, client, service user, or supplier of ENL.

Any breach of these Policies may result in disciplinary action as outlined in our Employee Handbook.

PART 1

DETAILS OF PERSONAL DATA PROCESSING

20 Harcourt Street, Saint Kevin's,
Dublin 2, D02 PF99
Info@EmeraldNursing.ie
(0818) 485 682
Company No. 606340

In the course of your employment with us, we collect and process the Personal Data as set out in this Policy. This may include data we receive directly from you (for example, by completing forms or by corresponding with us by mail, phone, WhatsApp, social media, email or otherwise) and data we receive from other sources (including, for example, garda vetting, NMBI, our recruitment operating system, healthcare providers and others).

We will only process Personal Data for the specific purposes set out in this Policy or for any other purposes specifically permitted by the applicable law. We will notify those purposes to the Data Subject when we first collect the data or as soon as possible thereafter.

You may give us personal data where you are a current, former, or prospective employee, contractor, or agency worker for us on a permanent or temporary basis ("our staff"). The personal data we collect, details of the processing activity and the lawful basis is as follows:

PROCESS	DESCRIPTION OF DATA COLLECTED, PURPOSE OF PROCESSING AND USE	LAWFUL BASIS
Recruitment	**Personal Data Collected:** We collect the following information through our online registration form: • Full name • Contact information including phone number and email address • Available start dates • Preferences (clinical and job duration) • Status of your passport/visa • Postal address (required only at point of contract issue) • CV: The type of information you may provide in your CV: • a cover letter, your name, e-mail address and phone number. • Relevant employment history and education (degrees obtained, places worked, positions held, relevant awards, and so forth). • Relevant certifications that you hold We use this data to screen candidates, to assess suitability for roles and to contact successful candidates. We ask that you **do not** disclose sensitive personal information (e.g., gender, height, weight, medical information, religion, philosophical or political beliefs, financial data) in your application.	Legitimate Interests
Agency Worker / Contractor Set Up	In addition to the information collected during the recruitment process as set out above, we also collect the following personal data from new recruits: • Passport or driving license for identification	• Performance of a Contract • Legal Obligations

20 Harcourt Street, Saint Kevin's,
Dublin 2, D02 PF99
Info@EmeraldNursing.ie
(0818) 485 682
Company No. 606340

	• Photograph for ENL Identification Badge • Signed Garda Vetting NVB 1 Form; annual garda vetting certificate • NMBI Registration • Completed candidate reference forms from two most recent employers • Immunisation records • Relevant certifications • Relevant training certificates • Pre-employment occupation form • Bank details • Emergency contact details (we will never contact these people without your consent) We gather this personal data directly and from third parties. We use this data to make decisions and recommendations on our agency or permanent employment that might be suitable for you and to verify identities and ensure that all relevant legal requirements are met, and certifications are up to date. If you do not provide the information we need, or help us keep it up to date, we may not be able to provide you with our Services.	
	Special Category Data Collected: We collect **certain medical** information such as: • Fitness to practice certificates • Vaccination/immunisation records (tbc) • Drug and Alcohol test results We also collect: • Garda vetting information (this may include criminal history) We collect this special category data to ensure that all relevant legal requirements are met.	• Legal Obligation Employment/ Social Security • Assessment of working capacity
HR	**Personal Data Collected:** The data outlined above is added to employee's HR file. Further data includes: • Passport information • PPSN • Visa Information • Timesheet data • Insurance data • Type of contract	• Performance of a Contract • Legal Obligation

20 Harcourt Street, Saint Kevin's,
Dublin 2, D02 PF99
Info@EmeraldNursing.ie
(0818) 485 682
Company No. 606340

	• bonus and targets, performance review data • Job title and grade, • Annual/sick/other leave data, (including medical certs, where required) • Personal data generated in communications during your employment; • Data collected during disciplinary and other investigations; We use this data to carry out our role as employer in line with certain legal obligations and to keep record of your time with us as our Staff.	
	Special Category Data Collected: As mentioned above, we collect some special category data such as sick leave information. We use this information to keep records of your time with us as our Staff. We may in certain circumstances collect a fitness to work report.	• Assessment of Working Capacity
Security and Monitoring	**Personal Data Collected:** We may collect personal data relating to you in terms of your internet usage in the course of your work for ENL, in line with the Employee Handbook. We will use this data: • To ensure proper working order of the IT systems • To ensuring that employees comply with the Company's practices and procedures • In preventing or detecting crime; • In investigating or detecting unauthorised use of Company's IT systems and/or Company devices	Legitimate Interests
Payroll	**Personal Data Collected:** • Name • Contact Details • Bank Details • PPSN Number • Timesheets • Details of any deductions e.g., health insurance We use this data to process payments owing to you and to understand any deductions to be made.	Performance of a Contract

20 Harcourt Street, Saint Kevin's,
Dublin 2, D02 PF99
Info@EmeraldNursing.ie
(0818) 485 682
Company No. 606340

When you become part of our staff, the processing of your personal data will become a condition of the contract between us as we require certain personal data in order to be able to administer the employment or contractual relationship (e.g., contact personal data, bank details etc).

3. WHAT INFORMATION ABOUT YOU DO WE OBTAIN FROM OTHERS?

When you are a member of our staff, we may obtain the following categories of your personal data from others:

- We will collect candidate reference forms from two previous employers of each job candidate.
- Where we refer you for a medical exam, we may receive a medical report from the medical practitioner.
- We will collect Certificate of Fitness to Practice results from a third-party supplier.
- Garda vetting results received from ERF.

4. WHO DO WE SHARE THIS PERSONAL DATA WITH?

We may share your personal data with our selected suppliers and contractors who help us to administer the employment or contractual relationship. For example, these business partners may include the providers of our human resources information system and our payroll provider.

We also share your personal data with selected clients to provide you with our Services. These clients include hospitals, nursing homes and a number of other health care facilities.

We will never share your CV or other personal data with our clients without your consent.

We may disclose your personal data to third parties:

- In the event that we sell or buy any business or assets, in which case we will disclose your personal data to the prospective seller or buyer of such business or assets.
- If we or substantially all of our assets are acquired by a third party, in which case personal data held by us about our staff will be one of the transferred assets.
- If we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce employment or contractual agreements; or to protect our rights, property, or safety, our customers, or others.

We attach at **Schedule 1** a list of all entities with whom your personal data is shared.

5. HOW LONG DO WE KEEP HOLD OF YOUR PERSONAL DATA?

We only collect the amount of personal data that is necessary for us to fulfil our obligations as your employer/contractor. We will only keep that data for certain periods. The time periods for which we retain your data depends on the type of personal data and the purposes for which we use it. We will keep your personal data for no longer than is required or permitted.

For further information on the periods for which your personal data is kept, please see our data retention policy.

6. DO WE TRANSFER YOUR PERSONAL DATA OUTSIDE THE EUROPEAN UNION OR EUROPEAN ECONOMIC AREA?

Yes.

The data that we collect from you may be transferred to, and stored in the United Kingdom, outside the European Economic Area ("EEA"), for which there is currently an adequacy decision relating to the safeguards for personal data from the European Commission.

7. WHAT WILL HAPPEN IF WE CHANGE OUR PRIVACY POLICY?

This Policy may change from time to time, and any changes will be posted on our [intranet/employee handbook/human resources portal] and will be effective when posted. We will notify you of any changes. This notice was last updated on 13 April 2022.

8. HOW CAN YOU CONTACT US?

For data protection queries our Data Protection Contact can be reached by phone on 0818 485 682, by email at gdpr@emeraldnursing.ie or you can write to us at Emerald Nursing, 20 Harcourt St, Saint Kevin's, Dublin 2, D02 PF99.

Emerald Nursing

20 Harcourt Street, Saint Kevin's,
Dublin 2, D02 PF99
Info@EmeraldNursing.ie
(0818) 485 682
Company No. 606340

Part 2

Data Protection Principles

Below is an outline of data protection principles as set out in the EU General Data Protection Regulation ("**GDPR**").

1. DATA PROTECTION TERMS

Data is information which is stored electronically, on a computer, or in certain paper-based filing systems.

Personal Data means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

Restriction of processing means the marking of stored personal data with the aim of limiting their processing in the future.

Profiling means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

Pseudonymisation means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

Filing system means any structured set of personal data which are accessible according to specific criteria, whether centralised, decentralised or dispersed on a functional or geographical basis.

Data controller means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

Data processor means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

Recipient means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded

20 Harcourt Street, Saint Kevin's,
Dublin 2, D02 PF99
Info@EmeraldNursing.ie
(0818) 485 682
Company No. 606340

as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

Third party means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

Consent of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

Personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.

Genetic data means personal data relating to the inherited or acquired genetic characteristics of a natural person which give unique information about the physiology or the health of that natural person and which result, in particular, from an analysis of a biological sample from the natural person in question.

Biometric data means personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as facial images or dactyloscopic data.

Data concerning health means personal data related to the physical or mental health of a natural person, including the provision of health care services, which reveal information about his or her health status.

Representative means a natural or legal person established in the Union who, designated by the controller or processor in writing pursuant to Article 27 of the GDPR, represents the controller or processor with regard to their respective obligations under the GDPR.

Supervisory authority means an independent public authority which is established by a Member State pursuant to Article 51 of the GDPR.

Special categories of Personal Data and Sensitive Personal Data includes information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

2. DATA PROTECTION PRINCIPLES

All Staff must familiarise themselves with the key data protection principles set out below. Where a member of Staff becomes aware that one of these principles is being breached, they should bring it to the attention of the Data Protection Contact.

2.1. Personal data shall be:

a) processed lawfully, fairly and in a transparent manner in relation to the data subject ('**lawfulness, fairness and transparency**');

20 Harcourt Street, Saint Kevin's,
Dublin 2, D02 PF99
Info@EmeraldNursing.ie
(0818) 485 682
Company No. 606340

b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1) of the GDPR, not be considered to be incompatible with the initial purposes ('**purpose limitation**');

c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('**data minimisation**');

d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('**accuracy'**);

e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) of the GDPR subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ('**storage limitation**');

f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('**integrity and confidentiality**').

2.2. All Staff must comply with **ENL's** Privacy Policy, Data Protection Policy, Data Retention Policy and Security Policy as well as with access protocols, and other policies and protocols that ENL implements. ENL makes all of its policies, protocols and procedures available from the Compliance Manager. Any breach of these policies will result in disciplinary action/investigation/will be taken very seriously – insert depending on culture of organisation.

3. PROCESSING

Article 6 of the GDPR provides the legal grounds on which Personal Data can be processed, as well as how to determine when further processing is compatible with the original purposes for processing. It is important that all staff collect only that information that is required for work purposes.

4. ADEQUATE, RELEVANT AND NON-EXCESSIVE PROCESSING

We will only collect Personal Data to the extent that it is required for the specific purpose notified to you. The processing of the data will be strictly confined to the purposes notified to you and/or mentioned in this Policy and shall not be further processed in any manner incompatible with that purpose(s). Staff must ensure that all Personal Data is only used for work related purposes.

5. ACCURATE DATA

20 Harcourt Street, Saint Kevin's,
Dublin 2, D02 PF99
Info@EmeraldNursing.ie
(0818) 485 682
Company No. 606340

We ensure that Personal Data which we hold is accurate and kept up to date. Staff should check the accuracy of any Personal Data at the point of collection and at regular intervals afterwards. We will take all reasonable steps to destroy or amend inaccurate or out-of-date data as per this policy and in accordance with any regulations.

6. TIMELY PROCESSING

We will not keep Personal Data longer than is necessary for the purpose or purposes for which they were collected. We will take all reasonable steps to destroy, or erase from our systems, all data which is no longer required. We refer you to our Data Retention Policy for further details.

7. DATA SUBJECTS' RIGHTS

All Data Subjects, including staff and customers, clients and suppliers have the following rights:

- to request access to any Personal Data held by us relating to you (a "Data Subject Access Request").
- to have any inaccurate or misleading data rectified, corrected or erased (subject to certain statutory restrictions);
- to restrict the processing of Personal Data, in certain circumstances;
- not to be subject to a decision based solely on automated decision-making including profiling (subject to certain statutory restrictions);
- to data portability;
- to object to processing of Personal Data based on public interest grounds or based on legitimate interest of the data controller (subject to certain statutory exceptions).
- Where your data is processed based on your consent, you have the right to withdraw your consent at any time. However, this will not affect the lawfulness of processing based on consent before your consent was withdrawn.

Please note that these rights are not absolute rights and may be subject to statutory restrictions.

To avail of any of the rights set out above, you may write to us at the address above or by email at: gdpr@emeraldnursing.ie . Suitable proof of identification may be required before a request can be processed.

You can update your information directly within your account settings section. If you are unable to change your Information, please contact us to make the required changes.

8. DATA SECURITY

We will take appropriate security measures against unlawful or unauthorised processing of Personal Data, and against the accidental loss of, or damage to, Personal Data.

We have put in place procedures and technologies to maintain the security of all Personal Data from the point of collection to the point of destruction. Personal Data will only be transferred to a data processor if they agree to comply with those procedures and policies, or if they put in place adequate measures.

20 Harcourt Street, Saint Kevin's,
Dublin 2, D02 PF99
Info@EmeraldNursing.ie
(0818) 485 682
Company No. 606340

Staff Members are obliged to comply with the Information Systems Security Policy available from the Compliance Manager.

9. DEALING WITH DATA SUBJECT ACCESS REQUESTS

Data subjects must make a formal request for personal data we hold about them (a "Data Subject Access Request"). This must be made in writing. Employees who receive a written request should forward it to the Data Protection Officer immediately.

When receiving telephone enquiries, you must only disclose Personal Data to the caller if the following conditions are met:

a) check the caller's identity to make sure that information is only given to a person who is entitled to it (i.e. the Data Subject themselves or some other individual/entity legally entitled to the personal data).

b) suggest that the caller put their request in writing (if you are not sure about the caller's identity and where their identity cannot be checked).

You should refer a request to the compliance manager for assistance in difficult situations. Be extremely wary of callers who attempt to bully you into disclosing Personal Data.

10. Training

ENL provides data protection training for its staff on induction and throughout the year. Please make sure that you attend these training sessions when requested to do so.

11. Data Protection Contact Details

If you have any questions or concern about data protection, you can contact us by phone on 0818 485 682, by email at gdpr@emeraldnursing.ie or you can write to us at Emerald Nursing, 20 Harcourt St, Saint Kevin's, Dublin 2, D02 PF99.

20 Harcourt Street, Saint Kevin's,
Dublin 2, D02 PF99
Info@EmeraldNursing.ie
(0818) 485 682
Company No. 606340

SCHEDULE 1

We have set out below a list of third parties with whom we share your data.

*Third party **name***	*Description of services provided*
Microsoft Azure	Cloud Service Providers
Peninsula	HR Service Provider
Radius Technologies	IT Back-up Providers
Radius Technologies	IT Service Providers
Noise Marketing	Marketing Service Provider
Microsoft, Office 365	Email Service Providers
Voyager	CRM Service Provider
Xero	Finance System
SAGE	Payroll Service Provider
Grange Associates UK Devaney and Durkan	Accountants UK Accountants ROI
Anne O Connell Solicitors	Law firm
BB Financial Services	Financial Services
Revenue	Tax Services
Cognate	Fitness to work Verification Provider
Vincere CRM	CRM System
F&B Textiles	Uniform Provider
ADC	ID Badge Provider
ERF	Garda vetting Supplier