

COVID-19 PRIVACY NOTICE

This supplementary privacy notice is an addendum to the main LMETB Data Protection Privacy Notice for the purpose of explaining how LMETB (as Data Controller) may need to collect and use personal data in relation to the COVID-19 (coronavirus) pandemic.

At present, LMETB is instructed to collect information in relation to health data (special category personal data) as part of the response plan to control the infection risk to employees during the recent outbreak of Covid-19. The data is uniquely required for the purpose of infection control within the working environment and it is collected via a Microsoft Form (MS Form). The form/questionnaire contains questions which must be completed prior to entering the LMETB workplace. The personal data collected is supplementary to the personal data ordinarily collected from you as outlined in the LMETB Data Protection Policy and will be treated as such for the duration of the pandemic and government guidance issued. The additional data collected via the MS Form surmises whether you, as a data subject and person connected to the LMETB premises, has recently experienced or currently experiencing Covid-19 symptoms; falls within any of the high-risk categories making you most vulnerable or susceptible to infection; been advised by a doctor to isolate or cocoon; or if you have been in close contact with someone who has diagnosis of suspected, or confirmed, Covid-19. The form may also include additional information such as recent foreign travel if this is required or advised by the Government and/or national or international health organisations. The purpose of collecting this data is to ensure the safety and well-being of our employees, learners and the general public, and to comply with Government guidelines and legislation regarding employees returning to work safely. The information sought from you is limited to what is proportionate and necessary, taking into account the latest guidance issued by the Government and health professionals, in order to manage and contain the virus.

The General Data Protection Regulation requires specific legal conditions to be met to ensure that the processing of personal data is lawful. The conditions relevant to the LMETB processing of the data in question are:

- **Article 6(1)(c)** – processing is necessary for compliance with a legal obligation to which the controller is subject.
- **Article 6(1)(d)** – processing is necessary in order to protect the vital interests of the data subject or another natural person. Recital 46 adds that *“some processing may serve both important grounds of public interest and the vital interests of the data subject as for instance when processing is necessary for humanitarian purposes, including for monitoring epidemics and their spread”*.
- **Article 6(1)(e)** – is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

COVID-19 PRIVACY NOTICE

Additionally, the processing of special categories of personal data, which includes data concerning a person's health, are prohibited unless specific further conditions can be met. These further conditions relevant to LMETB's processing of the data in question are:

- **Article 9(2)(b)** – processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.
- **Article 9(2)(i)** – processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care.

In this current pandemic, we may share your information with other relevant public health authorities and emergency services when necessary in a proportionate and secure manner. Contact with you to obtain consent before sharing will not occur in this instance, as consent is not the legal basis for processing such data. Please be assured that the protection of your personal data remains a priority at this time. We will only share your personal information where the law allows for the purposes mentioned in this privacy notice and data minimisation will occur to achieve the purpose required. Therefore, the health information provided by you in relation to the outbreak of Covid-19/Coronavirus will not be used for any other purpose. The information collected will be retained for as long as necessary to complete the purpose of the task, or as instructed by government guidelines. That is, we will only keep this information for as long as necessary, considering Government advice and the ongoing risk presented by Covid-19/Coronavirus in the workplace. When the information is no longer needed for this purpose, it will be securely deleted.

Your rights in respect to the processing of your personal data remain intact during the Covid-19/Coronavirus pandemic. Please visit the Data Protection section of the LMETB website to view our Data Protection Policies and Privacy Notices <https://www.lmetb.ie/about-us/data-protection/>.

Queries or concerns in relation to personal data can be forwarded to our internal Data Protection Office by email to dataprotection@lmetb.ie or via post to Data Protection Office, LMETB Administration Offices, Abbey Road, Navan, Co Meath C15 N67E.