

HEA Data Collection Notice

Protected Disclosures

What is personal data and what is a personal data processing operation?

Personal data shall mean 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.

Personal data processing operations can be 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.

Short description of the processing activity

The HEA has both internal and external reporting channels for the Protected Disclosures process, which will most likely involve the collection of some personal data.

Who is the Data Controller?

The HEA is the Data Controller.

What personal data is collected?

Name and contact details of reporting person (if provided), other personal data of third parties as necessary to investigate the concern.

Who has access to the personal data of data subjects and to whom can they be disclosed?

Only staff authorised to process reports made under the Protected Disclosures Act 2014 will have access to personal data processed for this purpose.

HEA will only share personal data collected for the investigation of Protected Disclosures as defined in the Act as necessary and proportionate, subject to the provisions of the Act.

Where did we get your personal data?

Data is provided by the reporting person when a report is made.

Purpose of processing: to allow the HEA to properly conduct the necessary process under its Protected Disclosures policies.

Legal basis of processing: Article 6(1)(c) GDPR, compliance with a legal obligation- Protected Disclosures Act 2014 as amended/SI 367/20.

How long will we retain your data?

As per our Records Management Policy, data relating to Protected Disclosures is held for 8 years to facilitate appeals/statute of limitations.

What are your rights regarding your data?

You have the right to access your personal data and to request your personal data to be rectified, if the data is inaccurate or incomplete; where applicable, you have the right to request restriction or to object to processing, to request a copy or erasure of your personal data held by the data controller. If processing is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of the processing based on your consent before its withdrawal. Your request to exercise one of the above rights will be dealt with without undue delay and in any case within one month.

We will never use automated decision making on your personal data.

In certain circumstances as allowed for in Section 16 of the Protected Disclosures Act 2014 as amended, it may not be possible to support the above rights. The restrictions apply, among other situations, to the extent necessary, and for as long as is necessary, to prevent and address attempts to hinder reporting or to impede, frustrate or slow down follow-up, in particular investigations, or attempts to find out the identity of reporting persons. The restrictions also apply where it is necessary and proportionate (a) to prevent the disclosure of information that might identify the reporting person, where such disclosure of identity would be contrary to the protections of the Act; or (b) where exercise of the right would prejudice the effective follow-up, including any investigation, of the relevant wrongdoing.

If the HEA seeks to use any of the above restrictions we will outline this to you when responding to your request.

Contact details for enquiries regarding your personal data

Please contact dataprotection@hea.ie for any queries.

You have the right to lodge a complaint with the Data Protection Commission (dataprotection.ie)