



Return to Work Questionnaire Privacy Statement

Introduction

This Privacy Statement describes the process for capturing personal data and the steps taken by Trinity College Dublin, the University of Dublin (“Trinity” / “the College”) to respect your privacy.

Trinity fully respects your right to privacy and actively seeks to preserve the privacy rights of those who share information with the College. Any personal information that you volunteer to the College for the purposes of the Return to Work Questionnaire (“the Questionnaire”) will be treated with the highest standards of security and confidentiality in accordance with Irish and European Data Protection legislation, namely the Data Protection Acts 1988- 2018 and EU General Data Protection Regulation (“GDPR”).

Definitions

Personal Data

Any information relating to an identified or identifiable natural person (“data subject”).

Special Categories of Personal Data (sensitive personal data)

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

Processing

Any operation or set of operations performed on personal data. Processing includes storing, collecting, retrieving, using, combining, erasing and destroying personal data, and can involve automated or manual operations.

Data Subject

Someone 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.

Data Controller

An organisation which determines the purposes and means of the processing of personal data. Trinity is the data controller of Trinity staff and student data. For further information on Trinity's responsibility for personnel data please see <https://www.tcd.ie/hr/privacy/>.

How your personal data is processed

Trinity departments, specifically your School/Unit/TRI, Estates & Facilities and Human Resources will use the personal data collected from you via the issued Trinity Return to Work Questionnaire for the purposes of approving access to the Trinity campus. This process is a requirement of the National Return to Work Safely Protocol.

The National Protocol is available online at:

<https://www.gov.ie/en/publication/22829a-return-to-work-safely-protocol/>.

Pages 7-8 of the Protocol refer to the pre-return to work form and provide specific questions which must be included on the form. These questions, when answered, capture ordinary and special category personal data. These questions have been included in the Trinity Return to Work Questionnaire.

The purpose and legal basis for processing your personal data

Trinity will ensure that your data is processed fairly and lawfully in keeping with the principles of data protection as set out under Article 5 GDPR. For the purposes outlined in this Privacy Statement, personal data will be processed on the following legal bases pursuant to Article 6 GDPR:

Article 6(1)(d): processing is necessary in order to protect the vital interests of the data subject or of another natural person.	For Trinity staff and students and other individuals.
Article 6(1)(e): processing 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.	For roles required to support Trinity in provision of services under statute.
Article 6(1)(f): processing is necessary for the purposes of the legitimate interests pursued by the controller.	For roles required to support Trinity commercial operations and other functions not related to provision of College services under statute.



Your special category personal data (sensitive personal data) will be only be processed under the following conditions pursuant to Article 9 GDPR:

- 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)(c): processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent.
- Article 9(2)(g): processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.
- Article 9(2)(h): processing is necessary for the assessment of the working capacity of the employee.
- 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 and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy.

How we securely store your personal data

Any personal data collected from you will be stored confidentially and securely as required by the College [Information Security Policy](#). In keeping with the data protection principles, your data will be only stored for as long as is necessary and in accordance with the College [Records Management Policy](#).

Trinity is committed to protect and secure your data, by securing our laptops, using encryption services, establishing strong passwords to access our computers, documents emails, etc. and conducting systematic data backups.



Your rights under data protection law

You have the following rights over the way your personal data is processed.

Right of Access

You have the right to request a copy of the personal data processed about you and to exercise that right easily and at reasonable intervals.

Right to Rectification

You have the right to have inaccuracies in personal data retained about you rectified.

Right to Erasure

You have the right to have your personal data deleted where there is no longer any justification for retaining it, subject to exemptions such as the use of pseudonymised data for scientific research.

Right to Data Portability

The right to request that your data is moved, copied or transferred.

Right to Object

You have the right to object to processing your personal data if:

- Your data is processed based on a legitimate interest or for the exercise of the public tasks of the University if you believe the processing to be disproportionate or unfair to you
- The personal data was processed for the purposes of direct marketing or profiling related to direct marketing
- Your personal data was processed for scientific or historical research purposes or statistical purposes unless the processing is necessary for the performance of a task carried out for reasons of public interest.



Right to Restriction of Processing

You have the right to restrict the processing of your personal data if:

- You are contesting the accuracy of the personal data
- The personal data was processed unlawfully
- You need to prevent the erasure of the personal data in order to comply with legal obligations
- You have objected to the processing of the personal data and wish to restrict the processing until a legal basis for continued processing has been verified

Contact

If you have any queries relating to the processing of your personal data for the purposes outlined above you can contact the Head of Safety:

Dr Katharine Murray
Head of Safety
Estates & Facilities
Trinity College Dublin
Dublin 2
murrayk9@tcd.ie

If you wish to make an enquiry or you wish to make a request in relation to your rights, or if you wish to make a complaint or escalate an issue relating to your data protection rights you can contact the Trinity College Data Protection Officer:

Data Protection Officer
Secretary's Office
Trinity College Dublin
Dublin 2
dataprotection@tcd.ie

Finally, if you are not satisfied with the information that Trinity has provided to you in relation to the processing of your data you can make a complaint to the Office of the Data Protection Commission via the link on their website [making a Complaint to the DPC.](#)