

Glossary of Data Protection Terms for HSE

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Anonymised Personal Data	Personal Data can only be considered to be truly “anonymised” from a data protection law perspective, if Data Subjects are no longer identifiable, having regard to any methods reasonably likely to be used to identify them, directly or indirectly. If it is possible to identify Data Subjects/patients (including by reference to other information - such as a de-encryption key) then the data is not considered “anonymised”, but rather “pseudonymised”. As per DPC and Article 29 Working Party (now EDPB) Guidance in this area, anonymisation irreversibly prevents the identification of the individual Data Subject to whom it relates and even the capability to ‘re-identify’ the Data Subject is sufficient to render this personal data.
Appropriate Technical and Organisational Measures	the appropriate technical and organisational measures referred to in Data Protection Legislation (including, as appropriate, the measures referred to in Article 32(1) of the GDPR).
Consent	means consent given by a clear affirmative act establishing a freely given, specific, informed and unambiguous indication of the data subject’s agreement to the processing of personal data relating to him or her such as by a written statement including by electronic means or an oral statement.
Controller	a 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. (Article 4(7) GDPR).
Data Protection Legislation	means the Data Protection Acts 1988 to 2018, the GDPR and, any other applicable law or regulation relating to the Processing of Personal Data and to privacy including Directive 2002/58/EC and the European Communities (Electronic Communications Networks and Services) (Privacy and Electronic Communications) Regulations 2011, as such legislation shall be supplemented, amended, revised or replaced from time to time.
Data Processing Agreement	means an agreement for the processing of personal data between a controller and a processor for the purposes of Article 28 of the GDPR.
Data Sharing Agreement	means an agreement for the sharing of Personal Data between two or more parties.
a Data Subject	as defined in the GDPR (see definition of Personal Data below).
DPC	means the supervisory authority in Ireland for the purposes of Article 51 of the GDPR whose principal administrative offices are at 21 Fitzwilliam Square South, Dublin 2, D02 RD28, Ireland, or any replacement supervisory authority under Data Protection Legislation, appointed from time to time in Ireland.
DPIA	A data protection impact assessment required under Article 35 of the GDPR.

GDPR	Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the Processing of Personal Data and on the free movement of such data, and repealing the Directive 95/46/EC, and any amendments made thereto.
Joint Controller	means where two or more controllers jointly determine the purposes and means of processing, they are joint controllers (Article 26, GDPR).
Personal Data	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; (Article 4(1) GDPR).
Personal Data Breach	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. (Article 4(8) GDPR).
Processing	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. (Article 4(2) GDPR).
Processor	a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller; (Article 4(8) GDPR).
Pseudonymised Personal Data	where personal data is pseudonymised, it remains personal data and all of the requirements of Data Protection Legislation (e.g. as to transparency for Data Subjects, lawful basis for processing, data minimisation etc) apply. Pseudonymisation is one of the recommended supplementary measures (where these are required) for international data transfers under EDPB Guidance in this area and subject to certain specified conditions.
Special Category Data	<p>Certain types of sensitive personal data are subject to additional protection under the GDPR. These are listed under Article 9 of the GDPR as "special categories" of personal data. The special categories are:</p> <ol style="list-style-type: none"> 1. Personal data revealing racial or ethnic origin. 2. Political opinions. 3. Religious or philosophical beliefs. 4. Trade union membership. 5. Genetic data and biometric data processed for the purpose of uniquely identifying a natural person. 6. Data concerning health. 7. Data concerning a natural person's sex life or sexual orientation. <p>Processing of these special categories is prohibited, except in limited circumstances set out in Article 9 of the GDPR.</p>