

Inquiry into the Health Service Executive

(IN-19-9-1)

Date of Decision: 18 August 2020

This inquiry was commenced in respect of one personal data breach notified by the HSE to the DPC. The personal data breach occurred when documentation containing the personal data of 78 individuals, including special category personal data in respect of 6 of those data subjects, were disposed of in a public recycling centre. The list was created in Cork University Maternity Hospital, but was discovered by a member of the public in a public recycling area in Cork County.

- The decision found that the HSE infringed Articles 5(1)(f) and 32(1) of the GDPR by failing to implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk presented by its use and disposal of hardcopy documents containing patients' personal data.

The corrective powers exercised

- The decision imposed an administrative fine of €65,000 on the HSE for its infringements of Articles 5(1)(f) and 32(1) of the GDPR.
- The decision ordered the HSE to bring its processing operations regarding the use and disposal of hardcopy documents containing patients' personal data into compliance with Articles 5(1)(f) and 32(1) of the GDPR.
- The decision issued the HSE with a reprimand in respect of its infringements of Article 5(1)(f) and 32(1) of the GDPR.