



BORD UM RÉITEACH DÍOBHÁLACHA PEARSANTA
PERSONAL INJURIES RESOLUTION BOARD

INJURIES RESOLUTION BOARD

PRIVACY NOTICE

Last updated June 2025

General

The Injuries Resolution Board (also referred to as the “**Board**” or “**we**”) is a statutory body which provides independent resolution of personal injury compensation for individuals who sustain injuries as a result of workplace, motor, and public liability accidents, through its claim assessment and mediation services.

The Board processes Personal Data relating to its above referred services and activity. In legal terms, the Board is a data controller and, as such, we are required by data protection law, including the General Data Protection Regulation (EU 2016/679) (“**GDPR**”) to provide you with information in relation to the collection, holding, use, disclosure, transfer or otherwise processing (known as “processing”) of personal information (or “**Personal Data**”) relating to you. This Privacy Notice describes how and why we collect Personal Data and what we do with it, and also provides information on the data protection rights that you may have in respect of your Personal Data. The Board also undertakes data processing in accordance with the Injuries Resolution Board Acts 2003 – 2022 concerning its procedure for assessment and mediation process regarding which we will provide information in this Privacy Notice.

Personal Data means any information which the Board has or obtains, such as your name, address, email address, date of birth etc, from which you can be directly or indirectly personally identified and may include information such as tax identifiers and residency information, and online identifiers. Some of this Personal Data may be sensitive Personal Data, such as data relating to your health.

Please note that this Privacy Notice is kept under regular review, and we reserve the right to update this Privacy Notice as required.

Legislation

The GDPR

The General Data Protection Regulation (GDPR) took effect on May 25, 2018, enhancing individual rights and imposing greater responsibilities on data controllers and processors. Its primary aim is to provide individuals with more control over their personal data. The GDPR outlines several key principles for data processing, including lawfulness, fairness, transparency, purpose limitation, data minimisation, accuracy, storage limitation, integrity, confidentiality, and accountability (as detailed in Article 5). In Ireland, the Data Protection Act 2018 further implements the GDPR and its provisions.

Queries and Complaints

If you have a query, concern or complaint regarding a data protection matter or if you simply require further information about the way your Personal Data will be used by the Injuries Resolution Board, you can engage with our Data Protection Officer:

Data Protection Officer

The Injuries Resolution Board's Data Protection Officer is Lauren Swan. Should you have any queries about data protection or the use of cookies on this website, the Injuries Resolution Board's DPO can be contacted via dataprotection@injuries.ie, or by post at Lauren Swan, Data Protection Officer, Injuries Resolution Board, Grain House, Exchange Hall, Belgard Sq., North, Tallaght, Dublin 24.

You also have the right to lodge a complaint about the processing of your Personal Data by the Board with the Data Protection Commission at Data Protection Commission, 21 Fitzwilliam Square South, Dublin 2, D02 RD28 or info@dataprotection.ie. Further information can be found on the [Data Protection Commission's website](#). Contact details for all EU data protection supervisory authorities can further be found on the [EU Commission's website](#).

Breaches

We will take all appropriate technical and organisational steps to safeguard your personal data. In the event of a data breach (e.g. cyber incident affecting your personal data, or loss of your personal data), we will contact you in line with our legal obligations.

What do we use your information for?

Processing and Lawful Basis

We use personal data collected in line with our statutory obligations under the Personal Injuries Resolution Board Acts 2003 – 2022 (as amended). However, we may use personal data for any of the following purposes:

Process	Purpose	Lawful basis for processing and relevant legislation
Claim assessment service	To provide assessment services for claim applications submitted by Claimants and/or their representatives. This includes the processing of claim applications, medical information and data related to assessment services.	Processing is necessary for compliance with a legal obligation to which the controller is subject (Art. 6(1)(c) of the GDPR). Consent to the assessment (Art. 6(1)(a) of the GDPR) in accordance with Sec. 13, 14, 28, 49 of the Personal Injuries Resolution Board Acts 2003 - 2022. Exercise of official authority vested in the Board (Art. 6(1)(e) of the GDPR) with regard to Sec. 11 of the Injuries

		<p>Resolution Board Acts 2003 - 2022.</p> <p>Special categories of personal data such as health information are processed as such processing is necessary for the establishment, exercise or defence of legal claims (Art. 9(2)(f) of the GDPR) and processing is necessary for medical diagnosis performed by a medical practitioner contracted by the Board (Art. 9(2)(h) of the GDPR).</p>
Claim mediation service	<p>To provide mediation services for claim applications submitted by Claimants and/or their representatives. This includes the processing of claim applications and data related to mediation services and may further include the processing of medical information (assuming that the processing of such information is necessary to provide the mediation service).</p>	<p>Processing is necessary for compliance with a legal obligation to which the controller is subject (Art. 6(1)(c) of the GDPR).</p> <p>Exercise of official authority vested in the Board (Art. 6(1)(e) of the GDPR).</p> <p>Sec. 18B of the Personal Injuries Resolution Board Acts 2003 – 2022</p> <p>Special categories of personal data such as health information are processed as such processing is necessary for the establishment, exercise or defence of legal claims (Art. 9(2)(f) of the GDPR).</p>
Identity verification	<p>To verify your (or your authorised representative's) identity in any interactions between the Injuries Resolution Board and you (or your authorised representative), whether in person, on the telephone, online, or in any other necessary circumstances.</p>	<p>Processing is necessary for compliance with a legal obligation to which the controller is subject (Art. 6(1)(c) of the GDPR).</p> <p>Legitimate interest of the Board (Art. 6(1)(f) of the GDPR) to identify claimants and their representatives to help avoid misrepresentation, misuse of information or identity theft.</p>
Claims related correspondence (by phone, email, letter, SMS, etc.)	<p>To resolve any queries, requests or complaints related to your claim as well as to require information concerning claims and the related matter. To contact you in relation to your medical appointment or to provide updates in relation to the status of your claim.</p>	<p>Processing is necessary for compliance with a legal obligation to which the controller is subject (Art. 6(1)(c) of the GDPR).</p> <p>Exercise of official authority vested in the Board (Art. 6(1)(e) of the GDPR).</p>

		<p>Special categories of Personal Data such as data related to health are processed as such processing is necessary for the establishment, exercise or defence of legal claims (Art. 9(2)(f) of the GDPR).</p> <p>Correspondence with the claimant and other parties in accordance with the Personal Injuries Resolution Board Acts 2003 – 2022 (especially including: Sec. 23, 24, 26, 30).</p>
Medical Reports/ Records and other relevant health information	<p>To gather medical records and reports (including photos and diagnostic images) and other information or correspondence with medical practitioners for our claim assessment service.</p> <p>Appointments will be made through our Medical Panel or through our contracted Service Providers</p>	<p>Processing is necessary for compliance with a legal obligation to which the controller is subject (Art. 6(1)(c) of the GDPR).</p> <p>Exercise of official authority vested in the Board (Art. 6(1)(e) of the GDPR).</p> <p>Special categories of Personal Data such as health information are processed as such processing is necessary for the establishment, exercise or defence of legal claims (Art. 9(2)(f) of the GDPR) and processing is necessary for medical diagnosis performed by a medical practitioner engaged by the Board (Art. 9(2)(h) of the GDPR).</p> <p>Sec. 49 of the Personal Injuries Resolution Board Acts 2003 – 2022.</p>
SMS messaging	Providing claimants with medical appointment details and reminders for upcoming appointments	Legitimate interest of the Board (Art. 6(1)(f) of the GDPR) to provide medical appointment reminders and support the management of appointments.
Postal records management	Management of postal records	Legitimate interest of the Board (Art. 6(1)(f) of the GDPR) in managing its postal deliveries.
Web chat	Web chat communication with claimants and other parties	Voluntary form of communication based on consent (Art. 6(1)(a) of the GDPR).
Security	CCTV Footage, Visitor Sign in/out.	Legitimate interest of the Board (Art. 6(1)(f) of the GDPR) to protect its premises and assets as well as the health and safety of visitors and staff.
Research & Data Analysis	To conduct personal injury research, studies and data	Exercise of official authority vested in the Board (Art.

	analysis, or commission the conduct of such research, studies and analysis, collection and compilation of information for such purposes, promoting public awareness of, and conduct public information campaigns in relation to, the work of the Board.	6(1)(e) of the GDPR) in accordance with Sec. 54 of the Personal Injuries Resolution Board Acts 2003 – 2022.
Voice of the Customer Survey	To gather feedback from claimants, respondents, and their representatives regarding their experience with the Injuries Resolution Board and its services, in order to improve service delivery and user satisfaction	Consent (Art. 6(1)(a) of the GDPR): Participation in the survey is entirely voluntary and based on the consent of the survey respondent.
Request for information on private health insurer outlays and RTA hospital charges	To obtain information from private health insurers and hospitals regarding outlays and charges relevant to a claimant's treatment. This information is used as part of the claim assessment process.	<p>Processing is necessary for compliance with a legal obligation to which the controller is subject (Art. 6(1)(c) of the GDPR).</p> <p>Exercise of official authority vested in the Board (Art. 6(1)(e) of the GDPR) in accordance with the Board's statutory functions.</p> <p>Sec. 26 of the Personal Injuries Resolution Board Acts 2003 – 2022, which empowers assessors to request such information for the purpose of verifying items of loss or complying with statutory requirements in the assessment of damages.</p> <p>Sec. 3 of the Health (Amendment) Act 1986 which enables a health board to recover any sum due from persons on the date on which damages or compensation are paid.</p>
Recovery of Benefits and Assistance Scheme (RBA)	To request and receive information from the Department of Social Protection regarding illness-related social welfare payments made to claimants. These payments are recoverable from compensation awards under the RBA Scheme.	<p>Processing is necessary for compliance with a legal obligation to which the controller is subject (Art. 6(1)(c) of the GDPR).</p> <p>Exercise of official authority vested in the Board (Art. 6(1)(e) of the GDPR).</p> <p>Sec. 26 of the Personal Injuries Resolution Board Acts 2003 – 2022, which empowers assessors to request such</p>

		<p>information for the purpose of verifying items of loss or complying with statutory requirements in the assessment of damages</p> <p>Part 11B of the Social Welfare Consolidation Act 2005, as inserted by Section 13 of the Social Welfare and Pensions Act 2013.</p>
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How do we collect information?

We collect personal data to provide our services to you. This personal data may be collected directly through Injuries Resolution Board staff, the Injuries Resolution Board website, any applications used by us, or indirectly through a third-party service provider on our behalf. We primarily process information related to claims and documentation submitted by claimants, their legal representatives or documents exchanged with medical practitioners (related to the assessment of injuries). We may also receive information from our correspondence with other parties (e.g. people requesting information concerning a case or on the activities of the Injuries Resolution Board) or authority (e.g. in case of a criminal investigation). When entering our premises, you may be recorded on CCTV surveillance and the Visitor log (sign in/out) book for security purposes. The Injuries Resolution Board's website uses certain cookies. Our Website & Cookie Policy can be accessed at <https://www.injuries.ie/eng/privacy/>.

What type of information do we collect and how long do we retain such information?

To fulfil our statutory obligations and perform duties as outlined in this Privacy Statement, we gather and process a variety of personal data. The specific personal data we collect may vary from time to time, but we think it's crucial for you to understand the nature of the data we collect and utilise.

The following table is a non-exhaustive list and provides an indication of the categories and types of personal data we use to perform our duties as well as relevant retention periods. Please note that information listed under one category may be used for the performance of a task or in relation to activities under another category or as outlined under another category.

Category	Type of Data	Retention period
Claim Application	<p><i>Claimant Details:</i> Name, Address, Eircode, Mobile Number, Landline Number, Email Address, Occupation, Gender, Date of Birth, PPS Number (Personal Public Service Number), Next Friend Details (if applicable), Solicitor Details (if applicable), Detailed description of how the accident occurred, Injuries sustained, Expenses incurred and Claimant Declaration.</p> <p><i>Respondent(s) Details:</i> Name, Address, Eircode, Insurance Company Details, Claim/ Policy Number, Vehicle Registration Number, Vehicle Make and Vehicle Model.</p>	Electronic format: 7 years, Hard copy/manual format: 18 months.

Medical Information	<i>Claimant Details:</i> Name, Address, Gender, Date of Birth, Occupation, Current employment status, Anthropometric measurements, Injuries sustained, photographs, Healthcare utilisation history, Prior accident history (if applicable) and medical practitioner details. Medical Information may include Medical Reports/ Records and Diagnostic Images.	Electronic format: 7 years, Hard copy/manual format: 18 months.
Assessment Services	<i>Compensation Details:</i> General Damages amount, Special Damages amount (which may include loss of earnings statements and receipts of expenses incurred) and Total value of compensation and related fees.	Electronic format: 7 years, Hard copy/manual format: 18 months.
Mediation Services	<i>Files and documents relating to mediation process:</i> reports and details of agreements, as well as material supplied to mediators to enable their work.	Electronic format: 7 years, Hard copy/manual format: 18 months.
Claims related correspondence	Claims related correspondence and related data (including name and contact details).	Electronic format: 7 years, Hard copy/manual format: 18 months.
Web chat	Web chat communication.	7 years.
Research	Age, Gender, Address, Compensation details, Accident details, Awareness and understanding of the Injuries Resolution Board's services	Until the data are anonymised for further processing and publication.

Security of Personal Data

We have put in place appropriate security measures to prevent your Personal Data from being accidentally lost, used, accessed, altered or disclosed in an unauthorised way. All processors to which we disclose your data are required by us to take appropriate security measures to protect your Personal Data in line with our requirements. We require these organisations to keep your information secure and we only permit them to process your Personal Data for specified purposes (and in accordance with our instructions) or in order to comply with applicable laws.

Data Sharing and International Data Transfers

The Injuries Resolution Board shares Personal Data with its processors (i.e. persons or entities processing Personal Data on its behalf). Such data processors processing Personal Data on behalf of the Board include, for example, IT service, IT security, data storage, financial service provider partners, and customer service providers.

We may transfer your Personal Data (including special categories of Personal Data) outside of the European Economic Area (EEA) to other companies such as our IT providers and other suppliers. The EEA comprises countries in the European Union (EU) as well as Norway, Iceland and Liechtenstein. Some of the persons or entities we share your Personal Data with may process it outside of the EEA, this means that your Personal Data may on occasion be transferred outside of the EEA.

When transferring your Personal Data outside the EEA, we will (and will ensure that service providers acting on our behalf agree to) protect it from improper use or disclosure and ensure the same levels of protection are in place as are applied within the EEA. We may transfer your Claim Application, Medical

Information, Assessment Services and Mediation Services data to the United Kingdom including Northern Ireland. We rely on the United Kingdom adequacy decision which you can find [here](#), when we transfer your Personal Data. An adequacy decision is a decision by the EU Commission where they recognise that certain countries, territories and sectors within these countries or international organisations outside of the EEA ensure an adequate level of protection of your Personal Data.

Some countries provide adequate legal protection for your Personal Data, but in other countries, additional steps will need to be taken to protect it. We will ensure that any transfers of Personal Data outside of the EEA which we or our processors make, are carried out in accordance with applicable data protection laws and that appropriate safeguards are implemented.

Data Sharing with Respondent(s) and/ or Insurance Providers

We also exchange Personal Data with other data controllers processing Personal Data on their own behalf in accordance with their own data protection notice and laws applicable to them. This primarily includes legal representatives of the parties (who usually submit information in the name of the parties represented by them), respondents to a claim and/or their insurers, and medical practitioners or providers involved in organising and conducting medical appointments as part of our assessment service. When a formal notice (a legal document which notifies a respondent(s) and/or their insurance providers that a claim has been made against them) is issued to respondent(s) and/or their insurance providers, a full and complete copy of the claim application (with PPSN redacted) and medical report/records will also be provided so that they may respond to a claim. This will also include the name, address and contact details of all respondent parties to a claim. In relation to medical records, it is the responsibility of the party submitting the information—typically the claimant or their legal representative—to ensure that any content not relevant to the injuries specified in the personal injury claim is appropriately redacted prior to submission.

Processing of Special Categories of Personal Data

Where special categories of Personal Data are processed by us for any of the purposes specified above, we will only use such information in the performance of the following functions:

- As part of our obligation to assess claims and injuries in accordance with the Injuries Resolution Board Acts 2003 - 2022 and to provide mediation services.
- To respond to any queries, complaints, or requests received (assuming this relates to, or requires the processing of Special Categories of Personal Data such as health data).
- As part of personal injury research (data is anonymised).

Not Providing Information

If all the information we require for the provision of our assessment or mediation services is not provided, the resulting action may be that we are not able to fully offer our services. Furthermore, some services provided by the Injuries Resolution Board require certain categories of information, without which, we may not be able to provide our service (for example, we usually need to process health data to assess a claim and injury).

Who do we share information with?

We may share Personal Data with other parties in the course of our duties. This may include disclosing personal data to law enforcement agencies, regulatory authorities, or other competent bodies upon receipt of a valid and lawful request. Such disclosures may occur for the purposes of investigating suspected criminal activity, fraud, money laundering, or other offences. When we share personal data with other parties, we adhere to the following principles:

- The transfer is based on a legal obligation or the performance of a contract. This includes adherence to *Rule 8 of the Personal Injuries Assessment Board Rules, 2019 [S.I. No. 140/2019]* which states that “*The Board may supply a copy of any records or other documents furnished by a claimant, a respondent or any other person to it pursuant to the Act or the exercise by it of any member of its staff of powers under the said Act, to a respondent, a claimant or as the case may be such other person as the Board considers appropriate in relation to the relevant claim concerned*”.
- Where we engage a third party to provide a service to us, we require them to take appropriate steps to protect all Personal Data, and only to use the Personal Data for the purpose of performing those specific services.

For more information on our data sharing practices, please see “Data Sharing and International Data Transfers” above.

Your Representatives

These may include any party with permission provided for us to contact (such as next of kin or spouse) or representatives associated with a claim (such as legal representatives involved in your dispute).

Our Representatives

These may include Board representatives such as employees, agents, contractors, legal representatives, mediators, medical practitioners.

Our representatives may also include companies who provide services in relation to customer service, postage, data storage and archiving, IT and IT security, making and receiving payments, finances, data analysis, advertising, query and complaints management, and call quality assurance.

What are your rights?

As a data subject, you will have the following rights, as outlined in this section. However, restrictions may apply in certain situations, i.e. documentary evidence submissions may need to be processed to assess claims.

Rights of Access (Art. 15 of the GDPR)

You have the right to

- receive confirmation from us that your Personal Data is being processed.
- access to your Personal Data; and
- certain other details in relation to how we use your Personal Data.

You can request copies of paper and electronic records (including recorded calls, where applicable) about you that we hold, share or use. To process your request, we may require proof of your identity and sufficient Personal Data about you to enable us to locate the Personal Data you have requested.

Please note that an access request is free of charge, however, where we determine a request to be unjustified or excessive, we may charge you a reasonable fee. To submit a Subject Access Request, please provide us with information to help us to verify your identity and the information you wish to access by email to dataprotection@injuries.ie

Please find attached link to data subject access request form: <https://www.injuries.ie/eng/data-protection/Data-Subject-Access-Request-form.docx>

Right to Rectification of Personal Data (Art. 16 of the GDPR)

You have a right to request that the Personal Data held in relation to you is up to date and accurate.

Where information is inaccurate or incomplete, you may contact us to request for the information to be rectified. Upon receipt of request, we will endeavour to ensure that the Personal Data is rectified and as up to date as is reasonably possible. Please note, in some circumstances requests may not be granted and if this occurs, we will let you know.

Right to be Forgotten (Art. 17 of the GDPR)

You have the right to seek the erasure of Personal Data relating to you in the following circumstances:

- The Personal Data is no longer required for the purposes for which it was obtained.

- Where data is being processed on the basis of consent and you withdraw such consent to the processing and no other lawful basis exists. We note that you have the right to withdraw your consent at any time where your personal data are processed based on your consent. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.
- The Personal Data is being unlawfully processed.
- You object to the processing of Personal Data and there are no overriding legitimate grounds for the processing.
- Your Personal Data requires deletion in line with legal requirements.

However, we will be unable to fulfil an erasure request if the processing of Personal Data is necessary for the following:

- Exercising the right of freedom of expression and information.
- Compliance with a legal obligation or for the performance of a task carried out in public interest.
- Reasons of public interest in the area of public health.
- Archiving or statistical purposes in the public interest.

To determine the validity of your request for erasure in line with the associated processing activity, we will carry out an assessment of the justification for retaining your Personal Data where a legal requirement applies and will contact you if we are unable to fulfil your request.

Please be aware that in certain circumstances we may need to retain some information to ensure your preferences are respected in the completion of our duties. The Injuries Resolution Board's case files are ordinarily archived for a period of seven years from the last action on a file for data held in electronic format and for 18 months from the date of receipt of data held in hard copy/ manual format.

Right to Restriction (Art. 18 of the GDPR)

You have the right to have the processing of Personal Data restricted by us in circumstances where:

- You believe the Personal Data is not accurate, in which case we have to restrict any processing while we verify the accuracy of your Personal Data.
- The processing of the Personal Data is unlawful, but you wish to restrict the processing of data rather than erase it.

- Where the Personal Data is no longer required by the Board, but you require the retention of the data for the establishment, exercise, or defence of a legal claim.
- You have a pending objection to the processing of your Personal Data.

When processing is restricted, your Personal Data will only be processed:

- with your consent;
- for the establishment, exercise or defence of legal claims;
- for the protection of the rights of other people; or
- for reasons of important to public interest.

We will contact you to confirm where the request for restriction is fulfilled and will only lift the restriction after we have informed you that we are doing so. Please note, in some circumstances requests may not be granted, i.e. processing of Personal Data for legal proceedings cannot be restricted as it is necessary for compliance with the Injuries Resolution Board Acts 2003 - 2022.

Right to Object (Art. 21 of the GDPR)

You have the right to object at any time to the processing of your Personal Data concerning you which is undertaken on the basis of public interest or legitimate interest by us.

If you wish to object to the processing of data, please contact us with your request. We will then stop the processing of Personal Data unless we demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is necessary for the establishment, exercise or defence of legal claims.

Please note that if you request that the Board stop processing your Personal Data, we may be unable to provide you with our services.

Right not to be subject to Automated Decision Making, including Profiling (Art. 22 of the GDPR)

You have a right not to be subject to a decision based solely on automated processing or profiling, where such decisions would have a legal effect or significant impact on you. Please be aware that we do not currently carry out any fully automated decision making or profiling using Personal Data.

Where do I send requests?

Please send all your requests to dataprotection@injuries.ie, with as much relevant detail as possible about your requirements to allow us to deal with your request efficiently. To answer your request, we may ask you to provide identification for verification purposes.

How long will a request take to complete?

Upon receipt of a request, we will comply with the request within the statutory timeframe provided for in relevant data protection law such as the GDPR – one month of receipt which may be extended by two further months where necessary, taking into account the complexity and number of the requests. The Injuries Resolution Board shall inform you of any such extension within one month of receipt of your request, together with the reasons for the delay. If we refuse your request, we will notify you within the above referred relevant statutory timeframe accompanied by the reason for refusal. Where you make the request by electronic form means, the information shall be provided by electronic means where possible, unless otherwise requested by you.

We will not charge a fee for any requests, provided we do not consider them to be unjustified or excessive. If we do consider these to be unjustified or excessive, we may charge a reasonable fee (also applicable for multiple copies) or refuse the request.

You are entitled to contact the Data Protection Commission if you have any complaints in relation to the enforcement of your rights.

Our Communications

We may contact you occasionally for information regarding certain aspects of your dealings with the Injuries Resolution Board.

This contact will relate to the purposes referred to in this Privacy Notice and may include the following:

- Contacting you in relation to your claim. For example, notification and reminders relating to upcoming independent medical appointments
- As part of our mediation and assessment services
- To respond to requests, queries, or complaints.

The Injuries Resolution Board will endeavour not to contact you outside of usual business working hours.