



Bord Altranais agus
Cnámhseachais na hÉireann
Nursing and Midwifery
Board of Ireland

NMBI

Fitness to Practise and Preliminary Proceedings Committee Privacy Policy



Privacy Policy

The Nursing and Midwifery Board of Ireland (NMBI) respect your privacy and are committed to protecting your personal data. The purpose of this data privacy policy is to provide you with the relevant information about how NMBI, as a data controller process the personal data of all parties when a complaint is made about a nurse or midwife.

We are the regulators for nurses and midwives in Ireland. Our purpose is to protect the public in its dealings with nurses and midwives and uphold the integrity of the professions. We do this by promoting high standards of professional education, training and practice, and professional conduct among nurses and midwives. We are primarily governed by the Nurses and Midwives Act 2011, as amended. A full list of relevant legislation is available on our website at www.nmbi.ie/What-We-Do.

Information about complaints process is available at www.nmbi.ie/Complaints.

What information do we process

We are responsible for considering complaints against nurses and midwives who practise in Ireland. We receive complaints from members of the public, employers and health care professionals as well as nurses and midwives who have concerns about their colleagues. Our Fitness to Practise Department aims to deal with all complaints fully, fairly and in accordance with the legislation which gives us our regulatory powers.

The main individuals involved in a complaint include:

- The person making the complaint (the Complainant)
- The nurse or midwife who is the subject of the complaint (the Registrant)
- Any witnesses who provide statements for the Complainant or the Registrant.

When we receive a complaint, the Preliminary Proceedings Committee (PPC) requires all relevant information to investigate the complaint fully. Based on the information, the PPC will prepare a report on its findings. Depending on the findings, the complaint may be progressed to the Fitness to Practise Committee (FTPC).

To investigate a complaint, we need to gather and process your personal data. We request information from the Complainant and the Registrant, and in some instances from witnesses, the Chief State Solicitor's Office and other third parties. We request the minimum amount of personal data required to meet our objectives, and we cannot control what is shared with us.

The table below lists the personal data that we may process about you to progress a complaint.

Depending on the complaint, the type of personal data collected will vary. We endeavour to collect only the minimum amount of personal data required to manage the complaint appropriately.

	Personal data	Special categories*	Lawful basis
Complainant	<ul style="list-style-type: none"> Name Postal address(es) Email address(es) Telephone number(s) DOB Nationality Details of your part in the complaint. 	<ul style="list-style-type: none"> Health data** Human resources files Union membership Racial or ethnic origin Sexual orientation Political opinions Religious beliefs 	Performance of our legal obligation under the Nurses and Midwives Act 2011, as amended.
Registrant	<ul style="list-style-type: none"> Name PIN Postal address(es) Email address(es) Telephone number(s) DOB Nationality Details of your part in the complaint. 	<ul style="list-style-type: none"> Health data ** Criminal records Human resources files Union membership Racial or ethnic origin Sexual orientation Political opinions Religious beliefs 	Performance of our legal obligation under the Nurses and Midwives Act 2011, as amended.
Witness/ Other third parties	<ul style="list-style-type: none"> Name Address(es) Email address(es) Telephone number(s) DOB Nationality Your account of the complaint. 	<ul style="list-style-type: none"> Health data** Human resources files Union membership Racial or ethnic origin Sexual orientation Political opinions Religious beliefs 	Performance of our legal obligation under the Nurses and Midwives Act 2011, as amended.

*These categories are not applicable to all complaints.

**Where a complaint relates to a Registrant’s relevant medical disability, it is likely that we will need to obtain further information relating to you, such as medical records and copies of medical prescriptions. This information may include processing special category personal data.

How we use your information

Most of the personal data we process relates to our regulatory functions, powers and duties. We process data on the basis that it is necessary to perform our legal obligations under the Nurses and Midwives Act 2011, as amended. When we process special category personal data, we do so under our regulatory objectives or because we are exercising our protective functions designed to protect the public from misconduct, unfitness or incompetence.

There may be occasions when we process personal data to comply with legal obligations, particularly in the context of legal proceedings and/or compliance with requests by law enforcement agencies. In these cases, our regulatory functions will also generally be engaged. We will also make pro-active disclosures to An Garda Síochána, the Internal Market Information (IMI) Alerts System with EU member states and other authorities as part of our public interest role.

In particular, we use your personal data (which may include special category personal data) for the following purposes to comply with our legal obligations and to perform our functions:

- **Investigating a complaint:** managing all aspects of the investigation of a complaint, including, but not limited to, contacting you and your legal advisor (if applicable), contacting a Registrant’s employer about their employment history and contacting medical health providers to obtain copies of relevant medical records.
- **Matters heard before the PPC and FTPC:** managing all aspects of investigations and inquiries, including, but not limited to, sharing your personal data with members of the PPC, the FTPC and the Board.

- **Administering sanctions:** managing all aspects of the administration of sanctions imposed by the Board, including, but not limited to, disclosing a Registrant's personal data to the Courts Service, the President of the High Court or other judges.
- **Legal process:** We will use your personal data when it is necessary to preserve or to defend its rights in court, to respond to law enforcement requests or discovery procedures, or where required or permitted by applicable laws, court orders, government regulations, or government authorities, which may include lawful access by courts or governmental authorities outside your country of residence.
- **Training and learning purposes:** your data (mentioned in the table above) may be used as part of training exercises for PPC and FTPC members and NMBI staff. We want to continually improve the service we provide to all parties in the complaints process by enabling us to learn and improve from previous complaints. Our lawful basis for processing your personal data is legitimate interests.

Who we share your information with

To perform our functions under the Nurses and Midwives Act 2011, as amended, your personal data may be shared with third parties. These will include, for example, disclosure to:

- a Complainant and their legal advisors
- the Registrant and their legal advisors/representatives
- witnesses
- NMBI's legal advisors
- An Garda Síochána
- medical or other experts for the purpose of obtaining an independent expert opinion
- the PPC, FTPC and Board members
- legal assessors
- employers, and
- the holders of any records that are relevant to an investigation.

We may be required to report its finding(s) to the President of the High Court to confirm the sanction against the Registrant. If this occurs, a public hearing may arise, which may result in the disclosure of your personal data in a public courtroom.

Under the Nurses and Midwives Act 2011, as amended, we may share the details of a sanction, court order, undertaking or other relevant information with regulatory bodies who perform functions that correspond with NMBI. This includes bodies in other jurisdictions, if we believe that the Registrant is registered/licensed/authorised to practise in another jurisdiction or if we receive a Certificate of Current Professional Status Request. Likewise, we may receive information from other regulators relating to overseas practice. We have entered into a data sharing agreement with the Nursing and Midwifery Council (the regulator of nursing and midwifery in the UK) and share IMI alerts with other EU member states.

NMBI publishes the name and PIN number of all nurses and midwives on NMBI's Register. If any findings or sanctions have been imposed on a Registrant, this may be published on NMBI's website or in the NMBI newsletter (eZine).

The Board may publish a transcript of all or part of a fitness to practise inquiry, which may include personal information. The Board may also publish all or any part of the FTP report.

We also use third-party service providers, such as case management systems, file sharing platforms, online inquiry IT platforms and stenographer services. When we provide personal data to third-party service providers, we require third parties to protect the personal data with appropriate security measures and prohibit them from using it for their own purposes or from disclosing it to others.

Retention of your personal data

We retain personal data in accordance with applicable legal requirements and only for as the length of time needed for the purposes described above or as long as required by law or to defend potential legal claims. Personal data is kept according to our retention schedule, which sets out the relevant time periods.

Data security

NMBI maintains appropriate technical and organisational measures to protect against accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data (including special category personal data).

We ensure a level of security appropriate to the risks that are presented, taking into consideration the costs of implementation and the nature, scope, context and purposes of processing as well as the risk to data subjects. We aim to ensure that personal data is processed with integrity and confidentiality. We evaluate measures on a regular basis to ensure the security of processing.

Your legal rights

Depending on the information we hold about you, and the reason we hold it, you have certain rights to your personal data, including a right to:

- access a copy of your personal data held by us
- request rectification of your personal data if it is inaccurate or incomplete
- request erasure of your personal data in certain circumstances
- restrict our use of your personal data in certain circumstances
- move (or port) personal data which you have given us to process, and
- object to the processing of your data in certain circumstances.

However, these rights may not be exercised in certain circumstances, such as when the processing of your data is necessary to comply with a legal obligation, or for the exercise or defence of legal claims.

If you wish to exercise any of the rights set out above, you can send your request to our Data Protection Office:

- Complete our [Data Subject Rights Request Form](#)
- **Email:** dataprotection@nmbi.ie
- **Post:** Data Protection Officer, 18/20 Carysfort Avenue, Blackrock, Co Dublin, A94 R299.

If you are not satisfied with our use of your personal data or our response to your request, you have the right to lodge a complaint with the Data Protection Commission or seek a judicial remedy. The contact details of the Data Protection Commission are:

- **Phone:** +353 (01) 765 0100
- **Email:** info@dataprotection.ie
- **Post:** Office of the Data Protection Commission, 21 Fitzwilliam Square South, Dublin 2, D02 RD28

International transfers

In limited circumstances, your personal data may be transferred outside the European Economic Area (EEA). We ensure that the appropriate safeguards are in place when transferring your personal data, such as confirming that standard contractual clauses are implemented.

Contacting us

If you have any questions regarding our Privacy Policy or our use of your personal data, or if you wish to avail of any of your rights, please contact us:

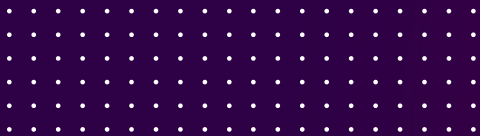
- Complete our [Data Subject Rights Request Form](#)
- **Email your request to:** dataprotection@nmbi.ie
- **Post your request to:** Data Protection Officer, 18/20 Carysfort Avenue, Blackrock, Co Dublin, A94 R299.

Changes to this policy

NMBI's Privacy Policy is reviewed regularly. It was last approved by the Senior Management Team in April 2025.

Nursing and Midwifery Board of Ireland (NMBI)
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Website: www.NMBI.ie



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