



## **GSK privacy notice – former residents of mother and baby homes in Ireland who participated in trials that took place in such homes**

Last updated: 1 October 2021

We understand that privacy is important to you. We are committed to treating your personal information with care and integrity.

Our privacy notice tells you what personal information we hold and how we obtained it. It explains what we use your personal information for and how we protect your personal information and keep it safe. This privacy notice explains our general practices. However, where local laws or regulations require that we process information differently, or refrain from such processing, we will always comply with the applicable local law.

In this privacy notice, we explain details of the personal data relating to you that we have obtained and how we process it in connection with our use and retention of records arising from clinical and other trials which took place in mother and baby homes in Ireland between 1934 and 1973 (the “**Historic Irish Trials**”). Further details of the nine separate trials - vaccine trials A to G, as they are referred, and two infant milk formula trials, are available [here](#).

GlaxoSmithKline (Ireland) Limited at 12 Riverwalk, Citywest Business Campus, Dublin 24, Ireland, Ireland (“**GSK**”, “**we**”, “**us**”) is the controller of such personal data. For more information on this GSK company, please visit our [website](#) where you can also find the contact details of the Data Protection Officer responsible for Ireland.

### **Contact information and your privacy point of contact**

If you want to exercise your rights, have any questions about this privacy notice, need more information or would like to raise a concern, please contact us at [MotherBabyHome.SubjectAccessRequest@gsk.com](mailto:MotherBabyHome.SubjectAccessRequest@gsk.com).

### **What personal data does GSK process?**

The personal data generally collected and processed on behalf of GSK in the context of the Historic Irish Trials includes names, patient initials/identifier, date of birth and gender, health data/medical records (including concerning the administration of medicinal products or investigational medicinal products), adverse reaction data and/or similar data.

GSK processes such data in electronic systems, databases and manual filing systems. This data is, or may be considered to be, ‘personal data’ according to the General Data Protection Regulation (Regulation (EU) 2016/679) (“**GDPR**”) and other applicable data protection law.

### **Sources of personal data**

The personal data relating to you that we hold was generally collected during the Historic Irish Trials either directly from you or indirectly through the involvement of principal investigators of the Historic Irish Trials and/or their associated academic institutions.

### **Purposes of Processing**

The personal data referred to above are processed by, or on behalf of, GSK for the purposes of:

- your interest in being able to access personal data relating to you where you believe you may have been involved in an Historic Irish Trial, in which case the legal basis for our processing is that this is necessary:



- for the purposes of your legitimate interests in being able to access such personal data where you believe you may have been involved in an Historic Irish Trial;
- complying with our legislative and regulatory (including reporting) obligations over time in connection with the Historic Irish Trials, in which case the legal bases for our processing are that this is necessary:
  - for the purposes of our legitimate interests in conducting our business in a responsible and commercially prudent manner; and
  - to comply with our legal obligations;
- responding over time to requests for documentation and data in the context of statutory or other commissions of investigation in respect of the Historic Irish Trials (e.g. under the Commissions of Investigation Act 2004 (the “**2004 Act**”)), in which case the legal bases for our processing are that this is necessary:
  - to comply with our legal obligations; and
  - for the purposes of our legitimate interests in conducting our business in a responsible and commercially prudent manner;
- establishing, exercising or defending legal claims over time arising from the Historic Irish Trials, in which case the legal bases for our processing are that this is necessary:
  - to comply with our legal obligations; and
  - for the purposes of our legitimate interests in conducting our business in a responsible and commercially prudent manner.

The conditions relied upon to permit the processing of the relevant special categories of personal data, which includes health/medical data, are that the processing is necessary for the establishment, exercise or defence of legal claims and that processing is necessary for reasons of substantial public interest.

### **Recipients of Data**

We may disclose your personal data to certain recipients in connection with the above purposes, including to:

- competent courts, regulatory authorities and bodies (e.g. Commissions of Investigation under the 2004 Act) as requested or required by law;
- service providers or other third parties who we engage to provide services to us such as professional advisers, auditors and outsourced service providers; and
- other members of the GSK corporate group (but only where strictly necessary for them to see your personal data to do their jobs).

### **Compliance with laws and transfers abroad**

We work all over the world. Therefore, we may need to transfer and use your personal data outside of the country where we collected it. We implement appropriate measures to protect your personal data when we transfer your personal data outside of your home country such as data transfer agreements that incorporate standard data protection clauses. The data privacy laws in the countries we transfer it to may not be the same as the laws in your home country. Law enforcement agencies, regulatory



agencies, security authorities or courts in the countries we transfer your personal data to may have the right to see your personal data.

The European Commission recognises that some countries outside the EEA have similar data protection standards. The full list of these countries is available from the European Commission website<sup>1</sup>. If we transfer your personal data to a country not on this list, we do so based on standard contract clauses adopted by the European Commission. These enable us to make international transfers of personal data within our group of companies and meet the data protection laws of the European Union.

For further details of the measures taken by us, please contact us at [MotherBabyHome.SubjectAccessRequest@gsk.com](mailto:MotherBabyHome.SubjectAccessRequest@gsk.com).

### **Retention**

GSK will retain your personal data to the extent necessary to comply with GSK's legal and regulatory obligations. We will also keep your personal data where we need to do so in connection with a legal action or an investigation involving GSK (or potential legal action or potential investigation).

GSK also retains your personal data where it is not obliged or required to do so, but does this primarily in your interest as a data subject in ensuring the records we hold from the Historic Irish Trials are retained so that you may access them if you wish. GSK does not intend to retain such personal data indefinitely and, unless we are required to or otherwise permitted to hold it, we are willing to delete such data where you do not wish us to retain it (see **Your Rights** below).

### **Your Rights**

You have rights in connection with your personal data we need to make you aware of. The rights available to you depend on our reason for processing your personal data and the local law in your jurisdiction, and there are exceptions to some rights. These rights are:

- the right to access your personal data;
- the right to request the rectification and/or erasure of your personal data;
- the right to restrict the use of your personal data; and
- the right to object to the processing of your personal data.

For your protection, and to protect the privacy of others, we may need to verify your identity before completing what you have asked us to do.

In order to facilitate you to exercise your right to access a copy of your personal data, we have developed an enhanced information service, details of which are available on this [webpage](#).

In order to exercise any of the other rights set out above or for further information, please contact us at [MotherBabyHome.SubjectAccessRequest@gsk.com](mailto:MotherBabyHome.SubjectAccessRequest@gsk.com).

### **Complaints**

You have the right to lodge a complaint with the Irish Data Protection Commission ([info@dataprotection.ie](mailto:info@dataprotection.ie)) or your local data protection supervisory authority.

### **How we update this Privacy Notice**

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<sup>1</sup> [https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en)



From time to time, we will update this Privacy Notice. Any changes become effective when we post the revised Privacy Notice on our [website](#). This Privacy Notice was last updated as of the “Last Updated” date shown above. If changes are significant, we will provide a more prominent notice on that website to let you know what the changes are.

**Our responsibility regarding websites that we do not own or control**

Our websites and applications may contain links to websites or mobile applications we do not own or control. Our Privacy Notice does not cover them. Please read the privacy notices on those websites and mobile applications if you would like to find out how they collect, use and share your personal data.