
Privacy Notice for Public Members

What is a Privacy Notice?

A “privacy notice” is a statement issued by an organisation which explains how personal and confidential information about patients, service users, staff and visitors is collected, used and shared. This may also be called a privacy statement, fair processing statement or privacy policy. This privacy notice is issued by Wirral Community Health and Care NHS Foundation Trust (the Trust) as a healthcare provider, and covers the information we hold about public members. A separate privacy notice is available for information we collect about staff and patients.

Data Controller

The Trust are registered as a Data Controller with the Information Commissioner’s Office (ICO) our registration number is Z2567487.

Address: Wirral Community Health and Care NHS Foundation Trust, Derby Road, Birkenhead, Wirral, CH42 0LQ Telephone: 0151 514 2888

Why are we issuing a privacy notice?

By issuing this privacy notice, we demonstrate our commitment to openness and accountability. We recognise the importance of protecting personal and confidential information in all that we do, and take care to meet our legal and other duties, including compliance with the following:

- Data Protection Act 2018
- Human Rights Act 1998
- Access to Health Records Act 1990
- Health and Social Care Act 2012, 2015
- Public Records Act 1958
- Copyright Design and Patents Act 1988
- Re-Use of Public Sector Information Regs 2004
- Computer Misuse Act 1990
- Common Law Duty of Confidentiality
- NHS Care Records Guarantee for England
- Social Care Records Guarantee for England
- International Information Security Standards
- Information Security Code of Practice
- Records Management Code of Practice
- Accessible Information Standards
- General Data Protection Regulations 2018

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Where do we receive information about you from?

All the information the Trust collects about you with regards to public membership is received directly from you when you first become a member of the Trust by completing and signing a membership application form or via the volunteer recruitment process.

The information is uploaded onto a secure membership database system which is hosted by an external provider called Civica Engagement Solutions. Their privacy notice can be accessed by visiting:

<https://www.civica.com/en-gb/policies-and-statements/privacy-notice>

What information is collected about me?

The information that we collect directly from yourself includes a combination of personal and special category information:

- Basic details; your name, address, telephone numbers, date of birth and email
- Sex*
- Religion*
- Sexual orientation*
- Pregnancy status*
- Marriage / CP Status*
- Gender Reassignment*
- Ethnicity*
- Information relating to a disability and/or a long-term condition*

*required for equality monitoring to ensure that the Trusts membership is representative of the local population.

By providing the Trust with your contact details, members are agreeing to the Trust using those channels of communication with them about their membership.

Why is information collected about me?

As a Foundation Trust we are accountable to our local community, patients and staff, who all have the right to become members of the Trust. On becoming a member you have provided the Trust with personal data in order for the Trust to contact you in relation to Foundation Trust membership matters, in accordance with our obligations under the NHS Act 2006 and Health and Social Care Act 2012.

What is the legal basis for processing my information?

The Trust has the following legal basis for processing your information under Article 6 of the UK General Data Protection Regulation (GDPR);

1(e) 'processing is in the public interest or in the exercise of official authority vested in the Data Controller'.

In addition to this the Trust also uses special category data in line with Article 9 as follows:

2(a) '...explicit consent...' this is used in relation to the collection of protected characteristics data as you have control over whether or not you provide this information to us.

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How do we keep your information confidential and safe?

Membership data within WCHC is secured on a membership data base which is hosted by Civica.

Under the Data Protection Act 2018, strict principles govern our use of information and our duty to ensure it is kept safe and secure. Your information may be stored within electronic or paper records, or a combination of both. All of our records are restricted so that only those individuals who have a need to know the information can get access. This might be through the use of technology or other environmental safeguards.

Everyone working for the NHS is subject to the Common Law Duty of Confidentiality. This means that any information that you provide to us in confidence will only be used in connection with the purpose for which it was provided, unless we have specific consent from you or there are other special circumstances covered by law.

Under the NHS Confidentiality Code of Conduct, all of our staff are required to protect information, inform you of how your information will be used, and allow you to decide if and how your information can be shared.

How do we use your information and why is this important?

The Trust will use your information only for the purposes of managing and maintaining your membership of the Trust.

We use your information for the following purposes:

- To administer membership records and to ascertain the representatives of our membership
- To enable us to administer elections to the Council of Governors
- To inform you of news, events and other ad hoc activities and developments relating to
- the Trusts business and developments in service

The Trust will involve public members of the Trust as much or as little as requested.

Who we share information with?

The only occasion when we would share your data with a 3rd party would be to fulfil our statutory obligations under the Health and Social Care 2012 for Governor Elections and this would be with a reputable independent electoral service provider. For this purpose, we share your Name, Postal and Email Address only in order for you to be able to execute your right as a Public Member to submit a Nomination Form and/or vote in Governor Elections. We ensure that there is an agreement in place with our chosen electoral service provider to guarantee they do not share your information with any other organisation. Your information is never collected or sold for direct marketing purposes. Your information is not processed overseas.

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How long do you keep my information for?

Your membership information will only be held for as long as you are a member of the Trust. You may request that your information is removed, which would mean you would no longer be a member. For more information, please contact us:

Email: wcnt.membership@nhs.net

Phone Number: 0151 514 2888

What are my rights?

Data Protection law gives individuals rights in respect of the personal information that we hold about you. You have the right:

1. To be informed why, where and how we use your information.
2. To ask for access to your information.
3. To ask for your information to be corrected if it is inaccurate or incomplete.
4. To ask for your information to be deleted or removed where there is no need for us to continue processing it.
5. To ask us to restrict the use of your information.
6. To ask us to copy or transfer your information from one IT system to another in a safe and secure way, without impacting the quality of the information.
7. To object to how your information is used.
8. To challenge any decisions made without human intervention (automated decision making)

Is there any automated processing of your information?

Automated decision making is the use of computer systems or definitions to apply rules to data in order to determine an outcome – credit ratings are an example of automated decision making. The Trust does not use automated decision making as all decisions have human intervention.

What if I have concerns about the use of my information?

Should you have any concerns or queries regarding the information we hold about you, please contact our Data Protection Officer:

Email: wcnt.dpo@nhs.net

Tel: 0151 514 2888

If you are still unhappy with the outcome of your enquiry you can write to:

The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Telephone: 01625 545700

We are committed to making our publications as accessible as possible. If you need this document in an alternative format, for example, large print, Braille or a language other than English, please speak to the Your Experience team on wcnt.yourexperience@nhs.net or 0800 694 5530.