

## Membership Privacy Notice

31 August 2018

### HOW WE USE YOUR INFORMATION

- **Why we use your personal data:** We typically use your personal information to comply with our legal obligations (such as checking your membership eligibility and maintaining a register of members) and sending you details of meetings and news.
- **Why we use your special categories of personal data:** We may use information regarding your race/ethnic origin to monitor the diversity of our membership.
- **Who else has access to your personal information?** In order to comply with our legal obligations and to communicate with you we may share your personal information with third parties.
- **Security of your personal data:** We respect the security of your data and treat it in accordance with the law.
- **Transferring your data internationally:** We will not transfer your data outside of the EU.

### What is the purpose of this privacy notice?

Under data protection law we are required to explain to you why we collect information about you, how we intend to use that information and whether we will share your information with anyone else. That law includes the General Data Protection Regulation (**GDPR**) and the Data Protection Act 2018.

This privacy notice applies to all prospective, current and former members of the Trust.

It is important that you read this statement so that you know how and why we use information about you. It is also important that you inform us of any changes to your personal information we hold about you (such as your contact details) so that the information which we hold is accurate and current.

### Who are we?

We are the Royal United Hospitals Bath NHS Foundation Trust. Our head office is located at:

Royal United Hospitals Bath NHS Foundation Trust  
Combe Park  
Bath  
BA1 3NG

We are a "data controller" in respect of the information we hold about you. This means that we are responsible for deciding how we use your personal information.

### Who is our Data Protection Officer (DPO)?

Our DPO is responsible for overseeing what we do with your information and monitoring our compliance with data protection laws. If you have any concerns or questions about our use of your personal information, you can contact our DPO.

Our DPO at Royal United Hospitals Bath NHS Foundation Trust is:

Graeme Temblett-Willis  
Head of Information Governance  
Health Informatics Service  
First Floor, Apley House (E5)  
Royal United Hospitals Bath NHS Foundation Trust  
Combe Park  
Bath BA1 3NG

Email: [ruh-tr.IGQueries@nhs.net](mailto:ruh-tr.IGQueries@nhs.net)

### What is the purpose and legal basis for processing membership data?

We use information about you for a number of different purposes. In order to comply with data protection laws, we must have a legal basis for using your personal data for each of those purposes. The legal bases are listed in Article 6 of the GDPR.

Some types of information about you requires greater levels of protection due to its sensitivity. This information is called 'special category data' and includes information about your health. Where we use special category data, we need to rely on an additional legal basis. The additional legal bases are listed in Article 9 of the GDPR.

We have set out in the table below the different purpose for which we collect and use your personal information, along with our legal bases.

Why we use your information	Our lawful basis for using your information
<b>Eligibility and membership register:</b> The Trust has a statutory duty to use members' data in order to ensure you are eligible for membership and to maintain a register of members.	<b>Legal obligations:</b> It is necessary for compliance with our legal obligations.
<b>Membership administration:</b> As a Foundation Trust we have a statutory requirement to maintain a membership. It is necessary for us to use the personal information of our members to administer and maintain the membership which	<b>Legal obligations:</b> It is necessary for compliance with our legal obligations.

Why we use your information	Our lawful basis for using your information
includes running annual elections.	
<p><b>Communicate with you:</b> To invite you to events and meetings, to provide you with news and updates about us, to provide you with membership publications, to ask your views on future plans and to send you local information with may be of interest to you (depending on your preferences).</p>	<p><b>Official authority:</b> It is necessary for the performance of a task carried out in the public interest or in the exercise of our official authority.</p>
<p><b>Diversity monitoring:</b> We are required to ensure that the membership is representative of the community which we serve. Your address, gender and race / ethnic origin are used to help us monitor the diversity of our membership which may include a request to complete our annual submission showing how representative our membership is.</p>	<p><b>Legal obligations:</b> It is necessary to meet legal / regulatory obligations.</p> <p><b>Public interest:</b> It is necessary for reasons of substantial public interest on the basis of law.*</p>
<p><b>Website administration:</b> When you access our website we may collect personal data about you as part of our website administration.</p>	<p><b>Legitimate interests:</b> It is necessary for our legitimate interests (where they are not overridden by your rights).</p>
<p><b>Security:</b> We may need to capture images of you as part of our security processes to ensure the safety of our staff, service users and members of the public. This may include the use of CCTV systems.</p>	<p><b>Legitimate interests:</b> It is necessary for our legitimate interests (where they are not overridden by your rights).</p> <p><b>Health:</b> It is necessary for the management of health and social care services.*</p>
<p><b>Direct marketing:</b> If you have provided your consent for us to do so, we shall send you direct marketing about our work and how you can help us to help you, for example, information about our volunteering, work experience and fundraising activities and how you can become involved.</p>	<p><b>Consent:</b> You have provided your consent for us to use your personal data for this particular purpose.</p>
<p>* This is an additional lawful basis which we need to rely on in order to use special</p>	

Why we use your information	Our lawful basis for using your information
category data such as information about your health	

### Where can you find out more information about our use of your information?

You can find out more about the information which we collect via the online form found on the membership pages, including where the data is stored and how it is used, and information collected via the paper membership application forms found within our community magazine 'insight' (<http://www.ruh.nhs.uk/about/insight.asp>).

For more information regarding the RUH Trust membership our Frequently Asked Questions will provide more detail at the following link [http://www.ruh.nhs.uk/membership/FAQ/index.asp?menu\\_id=8](http://www.ruh.nhs.uk/membership/FAQ/index.asp?menu_id=8)

### What are our legitimate interests?

We sometimes rely on our legitimate interests as our legal basis for using your personal information. We can only rely on this legal basis where we are satisfied that our legitimate interest is not outweighed by your rights and freedoms. Our legitimate interests which enable us to use your information are set out in the following table:

Why we use your information	What is our legitimate interest?
<b>Website administration</b>	We have a legitimate interest to ensure that our information and communication systems are not misused or put the organisation at risk.
<b>Security</b>	We have a legitimate commercial interest to ensure our premises are secure and to protect our organisation and our employees.

### Your right to withdraw consent

Where we rely on your consent as our legal basis for using your data, you have the right to withdraw your consent for that use of your data at any time. To withdraw your consent, please contact our Data Protection Officer or our membership team whose contact details are:

<b>Email</b>	<a href="mailto:RUHmembership@nhs.net">RUHmembership@nhs.net</a>
<b>Telephone</b>	01225 821299
<b>Freepost</b>	<b>FREEPOST RSLZ-GHKG-UKKL</b> RUH Membership Office Royal United Hospitals Bath NHS Foundation Trust Combe Park Bath BA1 3NG

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### What may happen if you do not provide your personal information?

If you refuse to provide certain information when requested we may not be able consider your application to become a member or maintain your membership.

### How do we obtain your personal information?

We collect your personal information in different ways depending on whether you are a member of the public or an employee of the Trust:

<b>Members of the public</b>	You will either have completed a paper or online membership form in order to become a member. We do not receive your details from any other source.
<b>Employee of the Trust</b>	<p>From May 2018 all Trust staff who have a contract of employment for a year or longer are invited to become a member, this includes staff on a 'retainment of employment' contract.</p> <p>Prior to May 2018 all staff who have a contract of employment for a year or longer automatically became a member this includes staff on a 'retainment of employment' contract.</p>

### What information do we collect?

Personal information is any information that can be used to identify you. We may collect the following personal information about you as part of your membership:

<b>Categories of information</b>	<b>Types of information within each category</b>
<b>Personal details</b>	Name, date of birth, gender
<b>Contact details</b>	Address, personal telephone number and personal email address (your address may be used to determine your likely household socio-economic status, which is used to feed into an anonymised report on the diversity of our members).
<b>Security information</b>	Such as CCTV footage
<b>Equality information</b>	Race, ethnicity (these are special category data)
<b>Website activity</b>	Your IP address, details of your use of our website such as time and dates of access

### How long will we keep this information?

Your membership information will only be held for as long as you are a member of the Trust.

The opportunity to unsubscribe to membership is provided on each email we send you. You may also unsubscribe by emailing the Trust's Membership Office on [RUHmembership@nhs.net](mailto:RUHmembership@nhs.net) or in writing to the freepost address above. By doing this you are indicating that you no longer wish to be a member and your information would be removed.

This does not apply to any personal information we hold about for any other relationship we have with you (such as your care provider or employer).

### Will we share this information with outside parties?

We will share your personal information with third parties where required by law, where it is necessary to administer the working relationship with you or where we have another lawful basis for doing so.

We share information with the following third parties:

- i. **External membership services provider:** Membership Engagement Services Limited (**MES**) is our membership services provider and they provide hosting services for our membership database. MES is a wholly owned subsidiary of Electoral Reform Services Limited (**ERS**) part of the ERS Group. Their Privacy Policy can be found at the following link: <https://www.membra.co.uk/privacy-policy/#Summary>
- ii. **External postal service providers:** SSL Direct Mail and Print Limited (<http://ssldirectmail.co.uk/>) and RnB Group Limited are our postal providers; they print and mail our communications to members. RnB Group Limited is ISO 27001:23013 (Information security Management System) compliant. Their Privacy Policy can be found at the following link: <https://rnbgroup.co.uk/>

### Transferring information outside the EEA

We will not transfer your data outside of the European Economic Area.

### Can we use your information for any other purpose?

We typically will only use your personal information for the purposes for which we collect it. It is possible that we will use your information for other purposes as long as those other purposes are compatible with those set out in this policy. If we intend to do so, we will provide you with information relating to that other purpose before using it for the new purpose.

We may also use your personal information for other purposes where such use is required or permitted by law.

## Complying with data protection law

We will comply with data protection law. At the heart of data protection laws are the "data protection principles" which say that the personal information we hold about you must be:

- used lawfully, fairly and in a transparent way;
- collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- relevant to the purposes we have told you about and limited only to those purposes;
- accurate and kept up to date;
- kept only as long as necessary for the purposes we have told you about; and
- kept securely.

## Your rights

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal information to another party.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal information, or request that we transfer a

copy of your personal information to another party, please contact our Data Protection Officer in writing.

### **What security controls are in place**

We want you to feel your information is secure and are committed to maintaining your privacy. The membership database and online form are protected against the loss, theft, misuse, or alteration of information through physical security and also different layers of security implemented throughout the MES website platform, for example hardware and application firewalls; intrusion detection systems; and SSL encryption.

### **Automated decision making**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making.

### **Right to complain to the ICO**

You have the right to complain to the Information Commissioner's Office (the "ICO") if you are not satisfied with the way we use your information. You can contact the ICO by writing to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

### **Changes to this privacy notice**

We reserve the right to update this privacy statement at any time, and we will provide you with a new privacy statement when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.