

# Privacy Notice – Foundation Trust Membership

In May 2018, new Data Protection legislation came in to force, namely the Data Protection Act 2018 and the General Data Protection Regulation (GDPR), which replaced the Data Protection Act 1998. This legislation enables individuals to have better control of their personal data and it affects all organizations who deal with personal information.

In line with the new legislation we have produced this privacy notice document for our Foundation Trust members. In this document you can read about your individual rights, what types of personal data we hold, how we collect your information, how long we hold your information for, why we hold your information, the role of the data protection officer and how you can find out more information.

## Individual rights

Data Protection laws give individuals rights in respect of the personal information that we hold about you. These are:

1. **To be informed:** You should know what information is collected, how it is used, how long it is held for, and who it is shared with. This information is available within this Privacy Notice.
2. **Subject access:** Right of access to information held about you.
3. **To rectification:** Right to have information corrected if inaccurate.
4. **To erasure:** Known as ‘Right to be forgotten’. Right to have information deleted.
5. **Restrict processing:** To limit what an organisation can do with your information, including who to share it with.
6. **Data portability:** The right to data portability allows you to obtain and reuse your information for your own reasons across different services. It allows you to move, copy or transfer your information easily from one IT environment to another in a safe and secure way, without affecting its usability
7. **To object:** To stop an organisation processing your data.
8. **Right relating to automated decision making:** There are provisions on:
  - automated individual decision-making; making a decision solely by automated means without any human involvement
  - profiling; automated processing of personal data to evaluate certain things about an individual.

## **What types of personal data do we hold?**

We recognise the need to treat all personal and sensitive data, as required by law, safe and confidential, and not disclose such to any other bodies.

We collect and store the following information about our members:

- Personal demographics (including name, date of birth, gender and ethnicity)
- Contact details such as; addresses, telephone numbers and email addresses
- Details of involvement preferences

## **How do we collect your information?**

This information is collected at the time you apply to become a foundation trust member of the Black Country Partnership NHS Foundation Trust and this information is held on a secure database, provided by Membership Engagement Services Limited (MES), registered office: 33 Clarendon Road, London, N8 0NW.

A data processing agreement is in place between the Trust (as the data controller) and MES (as the data processor) to ensure that the data processor (MES) process personal data on documented instructions from the data controller (the Trust). MES are compliant with ISO27001 (the international standard for best practice for an information security management system).

## **How long do we hold your information for?**

We will hold your information for the entirety of your membership with the Trust. If you decide you no longer want to be a member then we will hold your information for six years after the point that you no longer are a member. This is to ensure that you do not receive any additional membership requests from the Trust in the period following you providing us your request to no longer be a member.

Should you decide you no longer wish to be a member of the Trust then please contact the Membership Office on Freephone 08000 130 103 or write to us at: Membership Office, FREEPOST RRRG-BBTC-UKSE, Black Country Partnership NHS Foundation Trust, Delta House, Greet's Green Road, West Bromwich, B70 9PL.

## **Why do we need to hold your information?**

Being a Foundation Trust means that we have a statutory duty to ensure that our membership is representative of the organisation and the areas it serves. We are also accountable to our members to ensure we are developing services that meet local needs. This means all our members are free to have their say on the way our services are shaped and delivered.

## **Do we have a lawful basis for processing your information?**

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

1 (e) the use of your information is necessary for The Trust to perform its task in the public interest or for us to provide health care to you.

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

2 (a) Explicit consent of the data subject; this is used in relation to the collection of ethnicity information as you have control over whether or not you provide this information to us.

## **The role of the Data Protection Officer**

The data protection officer operates independently on how to deal with data protection matters putting patient rights at the heart of their decision making process. The data protection officer will be the first point of call for all individuals whom the Trusts holds information about, including members, but will also be the person for staff to turn to relating to any data protection queries.

The Trust's data protection officer's contact details are:

Katie Sparrow, Head of IG and Data Protection Officer

Tel: 0121 612 8017

Email: [Katie.sparrow@nhs.net](mailto:Katie.sparrow@nhs.net)

If you want a copy of the information that we hold about you as a member please email the Information Governance Team at: [bcpft.infogov@nhs.net](mailto:bcpft.infogov@nhs.net).

Write to:

Information Governance Team  
Black Country Partnership NHS Foundation Trust  
Delta House  
Delta Point  
Greets Green Road  
West Bromwich  
B70 9PL

## **Where can I get more information?**

Further information linked to the use of your information and in relation to data protection is available via the Trusts website: [www.bcpft.nhs.uk](http://www.bcpft.nhs.uk).