

Privacy Notice – Trust Foundation Membership

This Privacy Notice explains what information we collect about you, what we will do with the information, how we store this information, how long we retain it and with whom and for which legal purpose we may share it.

Processing of your personal information is necessary for the purposes of carrying out our obligations as a Foundation Trust under the NHS Act 2006 and the processing if necessary for reasons of substantial public interest, on the basis of Member State Law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interested of the data subject. The Trust does not require explicit consent of members to process their personal data as the purpose falls within the legal basis detailed within this Notice. We will use your data to issue written communications relating to governor elections, membership newsletters and other ad hoc communications relating to the Trust's business and developments in service.

This Privacy Notice relates to members of the public constituency. For members of the staff constituency, please refer to the Staff Privacy Notice.

To find out more about our Privacy Notice, please select the relevant hyperlink below:

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This Privacy Notice was last reviewed in February 2023

Trust Foundation Membership Privacy Notice

Who we are?	<p>Somerset NHS Foundation Trust is registered with the Information Commissioner's Office (ICO) in the UK, as a Data Controller and to process personal and special categories of information under the General Data Protection Regulations (GDPR) and the Data Protection Act 2018 and our registration number is Z6696096.</p> <p>For further information please refer to the 'About us' page on our website</p>
Why we collect personal information about you?	<ul style="list-style-type: none"> • To enable the Trust to discharge its statutory duties to keep members informed about service developments, proposed changes and the Trust's performance by providing newsletters, other written and electronic communication • To enable the Trust to administer elections to the Council of Governors • To enable the Trust to assess its compliance against statutory requirement to ensure that the membership is reflective of the population served by the Trust
What is our legal basis for processing personal information about you?	<p>Article 6(1)(c) GDPR 'processing is necessary for compliance with a legal obligation to which the data controller is subject to':</p> <ul style="list-style-type: none"> • Legal obligation under paragraph 20 of Schedule 7 of the National Health Service Act 2006 to maintain a register of members • Legal obligation under s35(2)(b) and s61 of the National Health Service Act 2006 as amended by s153 of the Health and Social Care Act 2012 to ensure that the public constituency is representative of those eligible for membership <p>Article 6(1)(e) GDPR 'processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller':</p> <ul style="list-style-type: none"> • Processing of data for the purposes of ensuring that members are invited to attend meetings (including the annual general meeting required by paragraph 27A of Schedule 7 of the National Health Service Act 2006 • Provide sufficient information by way of newsletters and updates to enable members to properly exercise their right to vote on any amendments to the constitution required under paragraph 27A under the National Health Service Act 2006 or to vote in any procedures set up under paragraph 14 of Schedule 7 of the National Health Service Act 2006
What personal information do we need to collect about you and how do we obtain it?	<p>The information we hold about you on our membership database comes from the information you first gave us when you became a member of Somerset NHS Foundation Trust and completed a membership form. This information includes your name, address including postcode, date of birth and email address.</p>
What website information do we collect?	<p>Information about your computer hardware and software is automatically collected. This information can include your IP address, browser type, domain names, access times and referring website addresses. This information is used for the operation of the service, to maintain the quality and provide general statistics regarding use of the Somerset NHS Foundation Trust's websites.</p> <p>The Trust's websites will disclose your personal information without notice, only if required to do so by law or in the good faith belief that such action is necessary to: (a) conform to the edicts of the law or comply with legal process served on Somerset NHS Foundation</p>

Trust or the sites; (b) protect and defend the rights or property of Somerset NHS Foundation Trust; and, (c) act under exigent circumstances to protect the personal safety of users of Somerset NHS Foundation Trust, or the public.

Please keep in mind that if you directly disclose personally identifiable information or personally sensitive data through The Trust's public message boards, this information may be collected and used by others. Note: The Trust does not read any of your private online communications.

Links to other websites: The Trust encourages you to review the privacy statements of websites you choose to link to from our site so that you can understand how those Web sites collect, use and share your information. The Trust is not responsible for the privacy statements or other content on Web sites outside The Trust's family of Web sites. Therefore we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites.

Collecting personal information on E forms: The Trust websites use electronic forms, and these forms enable you to give us feedback about the web site, to give feedback about specific activity the Hospital is involved in; to give feedback as part of a formal consultation; to take part in fundraising activities or giving; to register for an event or activity; to register interest as a member or volunteer.

Where we are asking for personal information we will always ask you to acknowledge acceptance and understanding of this Fair Collection/Privacy Notice, before the electronic form can be submitted.

Direct Marketing: The Trust may also use your personally identifiable information to inform you of other products or services available from Somerset NHS Foundation Trust and its affiliates. The Trust may also contact you via surveys to conduct research about your opinion of current services or of potential new services that may be offered. The Trust keeps track of the websites and pages our patients visit in order to determine which of our services are the most popular. This data is used to deliver customised content and advertising within to customers whose behavior indicates that they are interested in a particular subject area. You have the right to refuse/withdraw consent to direct marketing at any time.

Use of Cookies: The Trust website uses "cookies" to help you personalise your online experience. A cookie is a text file that is placed on your hard disk by a web page server. Cookies cannot be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you, and can only be read by a web server in the domain that issued the cookie to you.

One of the primary purposes of cookies is to provide a convenience feature to save you time. The purpose of a cookie is to tell the Web server that you have returned to a specific page. For example, if you personalise pages, or register with Somerset NHS Foundation Trust's site or services, a cookie helps to recall your specific information on subsequent visits. This simplifies the process of recording your personal information, such as billing addresses, shipping addresses, and so on. When you return to the same Somerset NHS Foundation Trust Web site, the information you previously provided can be retrieved, so you can easily use the features that you customised.

You have the ability to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. If you choose to decline cookies, you may not be able to fully experience the interactive

	features of The Trust's services or websites you visit.
What do we do with your personal information?	<p>We require member's postcodes as these allocate our public members to the appropriate local constituency for voting in governor elections. The other data helps us monitor whether our membership reflects the local population. Foundation Trusts have a duty to maintain a representative membership.</p> <p>We also use the information to:</p> <ul style="list-style-type: none"> • Send you ballot papers to vote in the election of Governors • To invite you to our Annual General Meeting and to send you our Annual Report • To invite you to any events we hold • Send you our regular members' newsletters and general hospital updates
Who do we share your information with and why?	<p>All our membership information is held on a secure server at Somerset NHS Foundation Trust. When the Trust undertakes governor elections, the membership data we hold is securely transferred, when required, to our current service provider Electoral Reform Services (ERS). ERS are a leading provider of services and have policies in place to handle your data securely. ERS currently provide the Returning Officer role when we hold elections for governors, so they will send out voting packs and receive these from you to be counted. After a governor election, the votes are retained by the Returning Officer for a few weeks in case there is a dispute about the election and then destroyed. We do not share the data with any other third parties except the provider appointed to support the Trust in relation to governor elections or when a third party company is instructed by the Trust to carry out mailings to you on our behalf. Be assured that under no circumstances will we sell on or circulate your personal information to unauthorised bodies without your permission.</p>
How long do we keep your personal information for?	<p>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 means you would no longer be a member. If you no longer wish to be a member, please contact the Trust Secretary.</p>
What are your rights?	<p>If we need to use your personal information for any reasons beyond those stated above, we will discuss this with you and ask for your <u>explicit</u> consent. The Data Protection Act 2018 and GDPR gives you certain rights, unless subject to an exemption, including the right to:</p> <ul style="list-style-type: none"> • The right to request a copy of your personal data which Somerset NHS Foundation Trust holds about you • The right to request that Somerset NHS Foundation Trust corrects any personal data if it is found to be inaccurate or out of date • The right to request your personal data is erased where it is no longer necessary for Somerset NHS Foundation Trust to retain such information • The right to withdraw your consent to the processing at any time if you have previously given consent for processing • The right to request that Somerset NHS Foundation Trust provide you with your personal information and where possible, to transmit that data directly to another data controller, where your information has been processed with your consent • The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing • The right to object to the processing of personal data • The right to lodge a complaint with the Information Commissioner's Office <p>Further information about your rights can be found via the Information Commissioners website https://ico.org.uk</p>

	If you wish to obtain a copy of the Trust's Data Protection Policy which covers individual rights, raise a complaint on how we have handled your personal data, please contact our Data Protection Officer.
Data Protection Officer	Louise Coppin is the Data Protection Officer for the Trust who can be contacted via email Louise.Coppin@Somersetft.nhs.uk or via post: Data Protection Officer Somerset NHS Foundation Trust Musgrove Park Hospital Taunton TA1 5DA
Information Commissioner's Office	The Information Commissioner's Office (ICO) is the body that regulates the Trust under Data Protection and Freedom of Information legislation. If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the ICO at: Information Commissioner's Office Wycliffe House Water Lane Wilmslow, Cheshire SK9 5AF Tel: 0303 123 1113 (local rate) or 01625 545 700 if you prefer to use a national rate number Email: casework@ico.org.uk

Changes to this Statement

Somerset NHS Foundation Trust will occasionally update this Statement of Privacy to reflect the law and feedback received. You are encouraged to periodically review this Statement to be informed of how Somerset NHS Foundation Trust is protecting your information.