

DATA PRIVACY NOTICE

Foundation Trust Members

1. Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the Data Protection Act 2018.

2. Who are we?

Wrightington, Wigan and Leigh NHS Foundation Trust (WWL) is the data controller and our contact details are given below. As the data controller, WWL decides how your personal data is processed and for what purposes.

3. How do we process your personal data?

WWL complies with its obligations under the Data Protection Act 2018 by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

We use your personal data for the following purposes:

- to administer membership records and to ascertain the representativeness of our membership;
- to enable us to administer elections to the Council of Governors; and
- to inform you of news, events and activities where you have given us your permission to do so.

4. What is the legal basis for processing your personal data?

All members

For all members, we process your personal data on the basis that processing is necessary for us to perform a task for an official function which has a clear basis in law. This is because the National Health Service Act 2006 requires foundation trusts to have a membership and to maintain a register of members.

The NHS Foundation Trust Code of Conduct, issued by our regulator NHS Improvement, requires the board of directors to monitor how representative our membership is and to report on this in our annual report. In order to do so, we also process some special category data. We process this data on

the basis that processing is necessary for reasons of substantial public interest (i.e. ensuring that our membership is representative) which is based on UK law and is proportionate to the overall aim. We fully respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and interest of our data subjects.

Email Communications

If you have provided your email address, we process this data for the purposes of keeping you informed based on consent. You have the right to withdraw your consent to receiving emails at any time.

5. Sharing your personal data

Your personal data will be treated as strictly confidential and will only be used for purposes related to the maintenance of our register of members and for the purposes of stated above.

We will share your data with two companies – Electoral Reform Services (ERS) and Membership Engagement Services (MES). MES hosts our membership database and ERS administers our governor elections. Both of these companies are data processors and have strict processes in place to ensure the security of your data.

6. How long do we keep your personal data?

We keep your data for as long as you are a member of the foundation trust. We will destroy your data once you cease to be a member.

7. Your rights and your personal data

Unless subject to an exemption under the Data Protection Act 2018, you have the following rights with respect to your personal data:

- the right to request a copy of your personal data which WWL holds about you;
- the right to request that WWL 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 WWL to retain such data;
- the right to withdraw your consent to the processing at any time;
- the right to request that the data controller provides the data subject with his/her personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable);
- 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, (where applicable); and
- the right to lodge a complaint with the Information Commissioners Office.

8. Further processing

If we wish to use your personal data for a purpose not covered by this Data Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

9. Contact Details

To exercise all relevant rights, for queries or for complaints please in the first instance contact our Data Protection Officer, Paul Howard, by emailing dpo@wwl.nhs.uk or by writing to the following address:

Data Protection Officer
Wrightington, Wigan and Leigh NHS Foundation Trust
Royal Albert Edward Infirmary
Wigan Lane
Wigan, WN1 2NN

You can contact the Information Commissioners Office for further information on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.