

# Foundation Trust Members Privacy Notice

**This privacy notice explains what information we collect from you, how we store this, how long we retain it, and with whom and for which legal purpose we may share it.**

<p><b>Who we are</b></p>	<p>East Suffolk and North Essex NHS Foundation Trust (ESNEFT) serves the geographical area of East Suffolk and North Essex with a population of more than 700,000. We are two acute hospitals (Colchester Hospital and Ipswich Hospital), but we are also responsible for and/or utilise the following community services:</p> <ul style="list-style-type: none"> <li>• Aldeburgh Community Hospital</li> <li>• Felixstowe General Hospital</li> <li>• Bluebird Lodge</li> <li>• Hartismere Place</li> <li>• Foot and Ankle Service</li> <li>• Community Nursing Services (East Suffolk)</li> <li>• Clacton and Harwich Community Hospitals</li> <li>• Halstead Hospital</li> <li>• North East Essex Community Services</li> </ul> <p>Striving for excellence in everything we do is the focus of all our work within the Trust. We are the largest employer in East Anglia, with more than 13,000 whole time equivalent staff. Our new Trust aims to invest in infrastructure, bring down waiting times, recruit more staff and save on running costs. Our Trust is registered with the Information Commissioner’s Office (ICO) to process personal and special categories of information under the Data Protection Act 2018 and the General Data Protection Regulation 2016/679 and our registration number is Z6601302.</p>
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<b>Why we collect personal information about you</b>	The Trust collects, stores and processes personal information about our Foundation Trust members to ensure compliance with legal or regulatory requirements.
<b>What is our legal basis for processing your personal information?</b>	Processing of your personal information is necessary for the purposes of carrying out our obligations as a Foundation Trust under the NHS Act and the processing is necessary for reasons of substantial public interest, on the basis of Union or 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 interests of the data subject. The Trust does not require explicit consent of members to process their personal data if the purpose falls within the legal basis detailed above.
<b>What personal information do we need to collect about you and how do we obtain it?</b>	<p>Personal information about you will largely be collected directly from you during the application process. In order to carry out our activities and obligations as a Foundation Trust we handle data in relation to:</p> <ul style="list-style-type: none"> <li>• Personal demographics (including gender, race, ethnicity)</li> <li>• Contact details such as names, addresses, telephone numbers</li> <li>• Disability.</li> </ul>
<b>What do we do with your personal information?</b>	<p>Your personal information is processed to:</p> <ul style="list-style-type: none"> <li>• Hold in our secure membership register database</li> <li>• Communicate with you, such as newsletters and events</li> <li>• Provide statistics to our regulator and as part of our reporting requirements.</li> </ul>
<b>How we maintain your records</b>	<p>Your personal information is held in electronic form for the duration of your membership, after which it is deleted. We will use our hospital systems to check the accuracy of demographic information to meet our data protection obligation to keep your information up to date.</p> <p>We have a duty to:</p> <ul style="list-style-type: none"> <li>• Keep records about you confidential and secure</li> <li>• Provide information in a format that is accessible to you.</li> </ul>

<p><b>How do we protect your information?</b></p>	<p>All staff employed by East Suffolk and North Essex NHS Foundation Trust are required to undertake mandatory annual training about their role and responsibilities when collecting and handling personal data. We keep your information safe and secure and comply with industry standards such as Cyber Security Essentials and the IG toolkit. We only share your data in a way that identifies you when it's absolutely necessary and will never sell it on to third parties.</p>
<p><b>Is my data being transferred overseas?</b></p>	<p>All Trust servers are based in the UK however some of the service providers we use may hold your information outside the UK.</p> <p>If we do transfer your personal information outside of the UK we will make sure that it is protected to the same extent as it would be within the UK.</p>
<p><b>Who do we share your personal information with and why?</b></p>	<p>We will not routinely disclose any information about you without your express permission. However, in order to enable effective administration and comply with our obligations as a Foundation Trust, we will share the information which you provide during the course of your membership with:</p> <ul style="list-style-type: none"> <li>• Membership Engagement Services, who administer our membership register database</li> <li>• Your name and the constituency you belong to is held on the public register, unless you have requested to be removed from the public register.</li> </ul> <p>Any disclosures of personal data are always made on a case-by-case basis, using the minimum personal data necessary for the specific purpose and circumstances and with the appropriate security controls in place. Personal information is only shared with those agencies and bodies who have a 'need to know' or where you have consented to the disclosure of your personal data to such persons.</p> <p>Where possible, we will always look to anonymise your personal information unless there is a legal basis that permits us to use it, and we will only use/share the minimum information necessary. However, there are occasions where the Trust is required by law to share information provided to us with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud.</p>

<p><b>What are your rights?</b></p>	<p>You have a number of rights regarding your data under the Data Protection Act 2018 / GDPR:</p> <p><b>The right to request access</b> You have the right to obtain:</p> <ul style="list-style-type: none"> <li>• confirmation that your data is being processed</li> <li>• access to your personal data</li> <li>• other information</li> <li>• evidence that we treat your information within the rules of the law.</li> </ul> <p><b>The right to be informed</b> You have the right to be informed about the collection and use of your personal information. We must provide you with information including: our purposes for processing your personal information, our retention periods for that personal information, and who it will be shared with. We call this 'privacy information'.</p> <p><b>The right to request rectification</b> You have the right to ask that any information you believe is inaccurate be corrected or completed if it is incomplete. Please note that this is not an absolute right and is subject to review by the Data Protection Officer and the Caldicott Guardian.</p> <p><b>The right to request erasure</b> You have the right to ask that we delete any information we hold about you. This is also known as the right to be forgotten. Please note that this is not an absolute right and is subject to review by the Data Protection Officer and the Caldicott Guardian.</p> <p><b>The right to the restriction of processing</b> This means that you can limit the way we share your information. This is an alternative to requesting the erasure of your information. This means that we can hold your information but we cannot use it or share it with external organisations.</p> <p><b>The right to object to processing</b></p> <ul style="list-style-type: none"> <li>• to us using your information for reasons other than to provide you with care</li> <li>• to your information being used for direct marketing (including profiling)</li> <li>• to your information being used for purposes of scientific or historical research and statistics</li> </ul>
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	<p><b>The right to data portability</b> You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.</p> <p><b>Rights related to automated decision making including profiling</b></p> <p>Automated individual decision-making is a decision made by automated means without any human involvement.</p> <p>The Trust relies on Article 6(1)(e): Public Task should we engage in any automated decision making and/or profiling. This includes using Artificial Intelligence (AI) technology in our healthcare services. Automated decision making will never be used at the Trust for direct marketing. You have the right to object to the Trust using your data for automated decision making purposes.</p> <p>You are not required to pay any charge for exercising your rights. If you make a request, we have one calendar month to respond to you.</p> <p>If you wish to exercise any of the above rights in relation to data we hold about you, please contact:</p> <p><b>Information Governance Team</b> Ipswich Hospital, Heath Road, Ipswich IP4 5PD Email: <a href="mailto:foi@esneft.nhs.uk">foi@esneft.nhs.uk</a></p>
<p><b>How do I log a complaint?</b></p>	<p>If you wish to raise a complaint or concern regarding the information we hold about you please contact the Data Protection Officer directly. Alternatively, you have the right to contact the Information Commissioner's Office (ICO), who are the independent regulator of data protection. They can be contacted at:</p> <p>The Information Commissioner's Office Wycliffe House Water Lane Cheshire SK9 5AF Telephone: 0300 123 1113 Website: <a href="http://www.ico.org.uk">www.ico.org.uk</a></p>

<b>Data Protection Officer</b>	George Chalkias, Director of Governance Information Governance Department Ipswich Hospital Heath Road IP4 5PD  <a href="mailto:foi@esneft.nhs.uk">foi@esneft.nhs.uk</a>
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