

Introduction

This privacy statement sets out the data processing practices carried out by Healthwatch Hertfordshire. We retain and use personal data (information that relates to and identifies living people¹) to help us carry out our role as the local independent champion for people who use health and social care services.

We will always make sure that your information is protected and treated securely. Any information that you give will be held in accordance with:

- Data Protection Act 1998
- As of the 25th May 2018, the new data protection legislation introduced under the General Data Protection Regulation (GDPR) and Data Protection Bill.

In addition to this privacy statement, you might also find the following documents useful:

Confidentiality Policy
Data Protection Policy
Information Governance Policy

The above are all relevant Healthwatch Hertfordshire policies, and available online on our website, or from our office.

How we Share Information with Other Organisations

We only share personal information with other organisations where it is lawful to do so and in accordance with our Information Governance Policy. Information is shared in order to fulfil our remit which is to pass on your experiences of care to help improve them on your behalf.

We work with Healthwatch England, the Care Quality Commission (CQC), local commissioners, NHS and social care providers and public health locally to make this happen. We can also engage external suppliers to process personal information on our behalf.

We will only disclose your personal information where we have your consent to do so, or where there is another lawful basis to make the disclosure - for example in cases of safeguarding. Any such disclosure will be made in accordance with the requirements of the current data protection legislation.

Wherever possible, we will ensure that any information that we share or disclose is anonymised, so as to ensure that you cannot be identified from it.

We sometimes use other organisations to process personal data on your behalf. Where we do this, those companies are required to follow the same rules and information security requirements as us, outlined in a Data Processing Contract. They are not permitted to reuse the data for other purposes.

¹ GDPR and the Data Protection Act (1998) only applies to personal information about a living person. You may access information about deceased individuals through other legislation, such as the Access to Health Records Act. However, you can contact us about deleting information we hold of an individual that is deceased.

Information we collect

We collect personal information from visitors to this website through the use of online forms and every time you email us your details. We also collect feedback and views from you about the health and social care services that you access. In addition we receive information about our own staff and people who apply to work for us.

Information about People Who Use Our Website

Please note that this statement does not cover links within this website to other websites.

When you browse through the information on this website, it does not store or capture your personal information. We do log your IP address (as it is automatically recognised by the web server) but this is only so you can download this website onto your device rather than for any tracking purpose; it is not used for any other purpose.

We only collect personal information provided by you, such as:

- Feedback from surveys and online forms
- Email addresses
- Preferred means of communication

Information about People who Share Their Experiences with us By Other Means

There are a number of other ways that we collect feedback from people about their experience of using health and social care services day to day:

- Our staff will visit different health and social care settings as part of their role to evaluate how services are being delivered.
- Through surveys and engagement.
- We also receive phone calls and requests for information directly from members of the public as part of our signposting service.

Where personally identifiable information is collected we will ensure that we have your consent to keep it and we will be clear on how we intend to use your information. We will aim to anonymise information where we can but there may be instances where this is not possible in order to make change happen on your behalf - in these cases we will seek consent from you to process the data. There may be exceptional circumstances where we can and will keep the data without consent but we must have a lawful basis for doing so, such as safeguarding purposes.

We ensure that where consent is required it will be freely given, used only for agreed specific and unambiguous purposes and that you are well informed about how the information will be kept. This includes where it will be stored, details on security and for how long it will be kept. We will comply with current data protection legislation at all times.

Personal information may be collected with your consent through:

- Our signposting service
- When we receive feedback by phone, outreach work or through surveys and research

- Enter and View activity

Information about Our Own Staff, Volunteers, and People Applying to Work for Us

We need to process personal data about our own staff (and people applying to work for us) so that we can carry out our role and meet our legal and contractual responsibilities as an employer.

The personal data that we process includes information about racial or ethnic origins, religion, disability, gender and sexuality. We use this information to check we are promoting and ensuring diversity in our workforce, and to make sure we are complying with equalities legislation.

Our employees decide whether or not to share this monitoring data with us, and can choose to withdraw their consent for this at any time.

Employees who wish to withdraw their consent for us to process this data can let us know.

Other personal data that we are required to process includes information on qualifications and experience, pay and performance, contact details and bank details.

We check that people who work for us are fit and suitable for their roles. This may include asking people to undertake Disclosure and Barring Service (DBS) checks.

People Joining Healthwatch Hertfordshire

People joining Healthwatch Hertfordshire will be asked to complete a 'declaration of interests' form to identify any services with which they have close links or any other issues which could cause a perceived conflict of interest. Staff are regularly asked to update these forms.

We have a legal obligation to comply with the Freedom of Information Act 2000 and this may include the requirement to disclose some information about our employees - especially those in senior or public facing roles. We also publish some information about our staff, including the names and work contact details of people in some roles.

Volunteers

We will need to process some personal information for volunteers in order for you to fulfil your role and for HWH to work effectively with you. Any personal information held on volunteers is only accessible to authorised staff, and will not exceed the minimum data required. For some volunteer roles, personal data such as your name, will be published on our website (Enter and View), Company House (Trustee) and Charity Commission (Trustee) as required by Healthwatch England or by law. You will always be informed beforehand.

Security

We are strongly committed to data security and we take reasonable and appropriate steps to protect your personal information from unauthorised access, loss, misuse, alteration or corruption.

We have put in place physical, electronic, and managerial procedures to safeguard and secure the information you provide to us.

Only authorised employees and contractors under strict controls will have access to your personal information.

Cookies

Please be aware that some systems on our website require the use of cookies, but we will always state if this is the case. We will never collect and store information about you without your permission.

How we will Use your Personal Information

Personal information about you can be used for the following purposes:

- In our day to day work
- To send you our newsletter where you have requested it
- To respond to any queries you may have
- To improve the quality and safety of care

This may include any personal information that you choose to share with us, but we will treat this as confidential and protect it accordingly.

We will never include your personal information in any published reports.

Signing up to our Newsletter

We use a third party supplier to provide our newsletter service. By subscribing to this service you will be agreeing to them handling your data.

The third party supplier handles the data purely to provide this service on our behalf. This supplier follows all requirements under GDPR in how they obtain, handle and process your information.

By signing up to our newsletter, you will only be contacted for the purposes you agree to.

Personal Data Received from Other Sources

On occasion we will receive information from the families, friends and carers of people who access health and social services. We use this data to inform providers and commissioners to help them deliver services that work for you.

Where it is practically possible, we will make sure that we have your consent to use information that is about you. We will only process your personal data where there is a lawful basis to do so under current data protection legislation.

Publishing Information

In most circumstances we anonymise data to ensure that a person cannot be identified, unless this has been otherwise agreed and consent has been given.

Sharing your Data with Healthwatch England

We are required to share information with Healthwatch England to ensure that your views are considered at a national level. This enables them to analyse services and provision across the country, and supply the Department of Health and national commissioners with the information you provide.

The information we provide to Healthwatch England contains no personally identifiable data. Any information that is used for national publications is anonymised and will only be used with the consent of Healthwatch Hertfordshire.

Our Data Systems

Healthwatch England provides a secure digital system for local Healthwatch to manage their data. Other organisations process the data contained within it on behalf of Healthwatch Hertfordshire and a Data Processing Agreement is in place to ensure that this is held securely and according to current data protection legislation.

Healthwatch England is a committee of the Care Quality Commission (CQC) but acts independently. These organisations must comply with all legal requirements and do not reuse any data for any other reason for make it available to others.

Retention & Disposal of Personal Data

We publish a retention and disposal schedule which explains how long we keep different types of records and documents for, including records and documents containing personal data. Personal data is deleted or securely destroyed at the end of its retention period. For details on our retention and disposal schedule, please contact dpo@healthwatchhertfordshire.co.uk.

Your Rights

At any point whilst Healthwatch Hertfordshire is in possession of or processing your personal data, all data subjects have the following rights:

- **Right of access** - you have the right to request a copy of the information that we hold about you.
- **Right of rectification** - you have a right to correct data that we hold about you that is inaccurate or incomplete.
- **Right to be forgotten** - in certain circumstances you can ask for the data we hold about you to be erased from our records.
- **Right to restriction of processing** - where certain conditions apply you have a right to restrict the processing.
- **Right of portability** - you have the right to have the data we hold about you transferred to another organisation.
- **Right to object** - you have the right to object to certain types of processing such as direct marketing.
- **Right to object to automated processing, including profiling** - you also have the right not to be subject to the legal effects of automated processing or profiling.

To request access to your data, it is desirable (but not mandatory) for you to complete a subject access request form. You can contact us for this, or go to our website for an online form which can be found at: <https://www.healthwatchhertfordshire.co.uk/data-subject-access-request>

Healthwatch Hertfordshire at your request can confirm what information it holds about you and how it is processed.

Information you can Request

- Identity and the contact details of the person at Healthwatch Hertfordshire that has determined how and why to process your data.
- Contact details of the data protection officer, where applicable.

- The purpose of the processing as well as the legal basis for processing.
- If the processing is based on the legitimate interests of Healthwatch Hertfordshire or a third party such as one of its clients, information about those interests.
- The categories of personal data collected, stored and processed.
- Recipient(s) or categories of recipients that the data is/will be disclosed to.
- How long the data will be stored.
- Details of your rights to correct, erase, restrict or object to such processing.
- Information about your right to withdraw consent at any time.
- How to lodge a complaint with the supervisory authority (Data Protection Regulator).
- Whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether you are obliged to provide the personal data and the possible consequences of failing to provide such data.
- The source of personal data if it wasn't collected directly from you.
- Any details and information of automated decision making, such as profiling, and any meaningful information about the logic involved, as well as the significance and expected consequences of such processing.

In the event that Healthwatch Hertfordshire refuses your request under rights of access, we will provide you with a reason as to why, which you have the right to legally challenge.

To access what personal data is held, identification may be required

Healthwatch Hertfordshire will accept any of the following forms of ID when information on your personal data is requested, a copy of your:

- national ID card,
- driving license,
- passport,
- birth certificate
- utility bill not older than three months.

A minimum of one piece of photographic ID listed above and a supporting document will usually be required, however there are circumstances where this will not be needed. If Healthwatch Hertfordshire is dissatisfied with the quality, further information may be sought before personal data can be released.

Complaints

In the event that you wish to make a complaint about how your personal data is being processed by Healthwatch Hertfordshire, you have the right to complain to Healthwatch Hertfordshire's Data Protection Officer. If you do not get a response within 30 days, or if you are unhappy with the response you get, you can complain to the Data Protection Regulator.

Contact Information

If you would like to

- talk to us about the need of documentation
- request information held on you
- make a complaint

You can contact us at:

Healthwatch Hertfordshire

FAO the DPO
1 Silver Court
Watchmead
Welwyn Garden City
Herts
AL7 1LT

Tel: **01707 275978**

Email: dpo@healthwatchhertfordshire.co.uk

If you have not received a response within 30 days, or are unhappy with the response you have received, please contact:

Data Protection Regulator

Information Commissioners Office (ICO)

Address:

Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: **0303 123 1113** (local rate) or **01625 545 745** if you prefer to use a national rate number

Email: casework@ico.org.uk