

# Privacy statement

March 2023

# Privacy statement

This Privacy Statement sets out the data processing practices carried out by Healthwatch Staffordshire.

The data controller for Healthwatch Staffordshire is Support Staffordshire ZA129126

Find out more about our purpose and what we do

<https://healthwatchstaffordshire.co.uk/how-we-work/>

## Information we collect in our role as the local independent champion for people who use health and social care services

We collect and process personal data from the following sources:

- Online web forms or surveys
- Paper surveys/forms
- Providing information and signposting to people who contact us for help with health and social care
- Research projects
- Visits to health and social care providers
- Meetings
- Other means of obtaining views from people about the health and social care services they access.

## The type of personal information we collect

We currently collect and process the following information:

- Personal identifiers, contacts and characteristics (for example, name and contact details)
- Health conditions, including details of healthcare; ethnicity; sexual orientation and religion
- Other demographic data, including age, Health conditions, including details of healthcare, ethnicity, sexual orientation, religion and gender

We automatically collect some technical information from devices and web browsers that you use. This might include your IP (internet protocol) address.

We use the information you share with us in line with our main statutory functions. These are inclusive of, but not limited to:

- Obtain people's views about their needs and experience of local health and social care services. Local Healthwatch make these views known to those involved in the commissioning and scrutiny of care services.
- Make reports and make recommendations about how those services could or should be improved.
- Promote and support the involvement of people in the monitoring, commissioning and provision of local health and social care services.
- Provide information and advice to the public about accessing health and social care services and their options.
- Make the views and experiences of people known to Healthwatch England, helping us carry out our national champion role.
- Make recommendations to Healthwatch England to advise the CQC to carry out special reviews or investigations into areas of concern.

We also collect information about your age, ethnicity, gender and health. Depending on the needs of each project, we may collect information about your religion or belief or your sexual orientation.

We're allowed to collect sensitive information like this because it is connected with the provision of and management of health and social care services.

We collect this data to help us understand whom we are speaking to and to understand how different groups experience health and social care.

## **Legal basis for processing personal data**

Healthwatch Staffordshire is a statutory organisation, we exist by law. Although a charity, for the purposes of complying with the Freedom of Information Act 2000 we are classified as a public authority. We process personal data to meet the duties described under Section 221(2) of The Local Government and Public Involvement in Health Act 2007.

Healthwatch Staffordshire relies upon 'public task' as its legal basis for the collection and processing of data. The Information Commissioners Office describes 'public task' as being when "the processing is necessary for you to perform a task in the public interest or for your official functions and the task or the function has a clear basis in law."

Healthwatch Staffordshire relies upon 'special category data' to process sensitive data to carry out all the processing as part of its legitimate activities with necessary safeguards. This will be obtained through explicit consent.

The following information falls under the GDPR special category data:

- Health & Social Care needs
- Disability

- Racial and ethnic information
- Religious or philosophical background
- Treatment
- Information associated with sexual preferences, sex life, and/or sexual orientation

## **Retention and disposal of personal data**

The experiences and feedback including any personal information you share with us, is kept by Healthwatch Staffordshire for a maximum of three years. Thereafter, it is deleted from our systems and any other processors system unless there are valid reasons why the information should not be deleted (i.e. safeguarding case or ongoing investigation). Personal data is deleted or securely destroyed at the end of its retention period.

## **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 care services. We might also receive information from health, social care and other professionals. We use this personal data to inform providers and commissioners to help them deliver services that work for everyone.

We will only process your personal data where we have your permission, or there is another lawful basis to do so under current data protection legislation.

## **Publishing information**

We anonymise our data to the best of our ability to ensure that you can't be identified unless you have given permission for us to do so. However, your identifiable details are required to provide the service or meet our legal obligations in certain situations.

## **Sharing your data with Healthwatch England**

We must share information with Healthwatch England to ensure that your views feed into our national work. Healthwatch England uses it to assess the quality of care across the country and influence service provision. By working together, we can ensure that health and social care leaders are aware of people's experiences and can make a difference to the care people receive now and in the future.

[Find out more about Healthwatch England's purpose and what they do.](#)

Healthwatch England will anonymise any information they use for national publications to the best of their ability.

## **How we share information with other organisations**

We only share personal data with other organisations where it is lawful to do so in accordance with our data protection policy. We will share your information to

fulfil our remit, which is to pass on your care experiences to help improve them on your behalf and people like you.

We work with Healthwatch England, the Care Quality Commission (CQC), local commissioners, NHS Improvement and our local authority 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 there is another excellent reason to make the disclosure – for example, we may disclose information to CQC or a local authority where we think it is necessary to protect a vulnerable person from abuse or harm. We'll only make such a disclosure 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 wholly or partly anonymised so that you cannot be identified from it.

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

These can also include:

1. Healthwatch Website – online contact form, web analytics
2. Healthwatch Enquiries Email and Free Phone Number
3. Social Media
4. Online Surveys – SmartSurvey
5. Support Staffordshire
6. Marketing services
7. Database
8. Spreadsheets
9. Relevant Partners
10. Service Providers of Health and Social Care

Healthwatch Staffordshire has a data sharing agreement with Healthwatch Stoke On Trent. You can find their privacy policy on their website [Privacy | Healthwatch Stokeontrent](#)

## **Information we collect about people who apply to work or volunteer with us**

We need to process personal data about our staff (and people applying to work for us) to meet our legal and contractual responsibilities as an employer.

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

We'll ask for your explicit consent to share this data with us. Our employees decide whether to share this monitoring data with us. They 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 must process includes information on all employment-related matters, qualifications and experience, pay and performance, health and welfare, contact details and bank details. We also process data about monitoring ICT systems to ensure security, including monitoring and keeping logs of web pages visited and screening emails for phishing attacks.

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, copies of documents that prove job applicants' right to work in the UK and references.

We will ask people joining Healthwatch Staffordshire to complete a 'declaration of interests' form. This will identify any services with which they have close links (for example, because they have previously worked there or because a close relative runs the service) or any other issues which could cause a perceived conflict of interest. We regularly ask staff asked to update these forms.  
[insert/delete this section if relevant]

We process information directly necessary about employment and safeguarding under our legal obligations, information which is not strictly necessary with the individual's consent.

## How long we keep your data for

We retain personal data about employees and volunteers for six years after the duration of their employment with the following exceptions:

Application form	Duration of employment
References received	Duration of employment
Records relating to an injury or accident at work	12 years
Statutory maternity pay records, calculations and certificates	Retain while employed and for seven years after employment has ended
Redundancy details, calculation of payments and refunds	Seven years from the date of redundancy

If you are not successful at getting a job or volunteering with us, we will keep your data for six months after finalising recruitment.

We have a legal obligation to comply with the Freedom of Information Act 2000. 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 positions. We also publish photographs of our staff on our website.

## Information we collect for other purposes

We use personal information about you for the following purposes:

- To send you our newsletter where you have requested it;
- Because you have agreed to be a case study for us

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 ask for your consent to collect and use this data.

## Signing up for our newsletter

We use a third-party supplier to provide our newsletter service. By subscribing to this service, you will agree to them handling your data. You can unsubscribe at any time by following the instructions in the newsletter or by contacting us.

The third-party supplier handles the data purely to provide this service on our behalf. This supplier follows the requirements of data protection legislation in obtaining, handling, and processing your information and will not make your data available to anyone other than Healthwatch.

We will keep your data until you tell us you no longer want to receive our newsletter.

## 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.

Our IT system is provided by a 3<sup>rd</sup> party contractor. This supplier is GDPR compliant and follows the requirements of the Data Protection Act 1998 in how they obtain, handle and process your information and will not make your data available to anyone other than Healthwatch.

Only authorised employees, volunteers and contractors under strict controls will access your personal information.

## Retention and disposal of personal data

A **retention and disposal schedule** is available on our website 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.

# Information about people who use our website

## Cookies

Cookies are small text files transferred to your computer or mobile when you visit a website or app. We use them to help us understand how people are using our services so that we can make them better.

Please be aware that some systems on our website require cookies. However, where non-essential cookies are in use, we will only use those cookies and collect the information with your permission.

Find out more about our use of Cookies

<https://healthwatchstaffordshire.co.uk/cookie-policy/>

## Your rights

### Your right to access information about you

If you think we may hold personal data relating to you and want to see it, please email [enquiries@healthwatchstaffordshire.co.uk](mailto:enquiries@healthwatchstaffordshire.co.uk) Or write to Healthwatch, Support Staffordshire, Stafford Civic Centre, Riverside, Stafford, Staffordshire, ST16 3AQ

You have a right to receive a copy of this personal data or to ask us to forward it to a person or organisation of your choice. We will provide the personal data to you in your preferred format wherever possible. We may need to ask you to verify your identity before we proceed.

### Correcting or deleting your personal data

If you know that we are holding your personal data and believe that it may be wrong, or if you want it to be deleted or for us to stop using it, you have a right to request that it can be deleted or amended. There may be some occasions when, for legal reasons, we are unable to comply fully with your request.

Please make your objection in writing to [enquiries@healthwatchstaffordshire.co.uk](mailto:enquiries@healthwatchstaffordshire.co.uk) Or send it by post to: Support Staffordshire, Stafford Civic Centre, Riverside, Stafford, Staffordshire, ST16 3AQ

## Complaints about how we look after or use your information

If you feel that we have not met our responsibilities under data protection legislation, you have a right to request an independent assessment from the Information Commissioner's Office (ICO). You can find details [on their website](#).





**Healthwatch Staffordshire**  
**Stafford Civic Centre**  
**Riverside**  
**Stafford**  
**Staffordshire**  
**ST16 3AQ**

**[enquiries@healthwatchstaffordshire.co.uk](mailto:enquiries@healthwatchstaffordshire.co.uk)**  
**Tel: 0800 051 8371**