

Privacy Notice – Membership Records

Who we are

Locala Health and Wellbeing (Locala) is a not-for-profit community healthcare provider that provides a variety of NHS and local authority services to care for and support people of all ages. Locala is a registered company in England and Wales under registration number 07584906, with a registered office Eddercliffe Health Centre, Bradford Road, Liversedge, WF15 6LP. Locala is the 'Controller' of personal information we collect about you unless otherwise stated.

To effectively manage membership of Locala, and membership activities, Locala Community Partnerships CIC collects, stores and processes personal information about current members.

Locala will process your personal information in accordance with all applicable laws, including the United Kingdom General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018).

Under the United Kingdom General Data Protection Regulation (UK GDPR), information about your physical and mental health, racial or ethnic origin and religious belief are considered as special category personal information and is subject to strict laws governing its use. The sections below will explain why Locala Health and Wellbeing collects personal information about you, the ways in which such information may be used, and your rights under UK GDPR. We are legally responsible for ensuring we comply with the UK GDPR when processing your personal information.

What is personal data?

Personal data means any information relating to you that identifies you, or through which you can be identified, directly or indirectly. In particular, by reference to an identifier such as a name, an identification number, location data, or an online identifier

or to one or more factors specific to you physical, physiological, genetic, mental, economic, cultural or social identity.

The purpose of this Privacy Notice

The purpose of this Privacy Notice is to let you know how we process your Personal Data when you hold a membership with us. This Privacy Notice explains what Personal Data we collect from you and how we collect, use, store and disclose it. This Privacy Notice also contains information about your rights under applicable data protection legislation.

We are committed to compliance with the applicable data protection legislation. We believe that ensuring data protection compliance is the foundation of trustworthy relationships.

This Privacy Notice applies to community members who have signed up to join the organisation, and permanent Locala colleagues who are automatically members of the organisation.

It is important that you read this Privacy Notice together with any other Privacy Notice we provide on specific occasions when we are collecting or processing Personal Data about you so that you are fully aware of how and why we are using your data. This Privacy Notice supplements the other notices and is not intended to override them.

What information do we collect about you?

In order to carry out our member activities, we may need to collect and process:

- Your full name
- Reference numbers we may assign you such as employee numbers
- Date of birth
- Telephone numbers
- Address
- Gender
- Data relating to your health/disability status or other vulnerabilities

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- Data relating to your race, ethnicity, sexual orientation, and religion
- A record of involvement activities and events attended

(N.B. Only basic information will be held on colleague members including name, ESR number and work email address)

It is essential that your details are accurate and up to date. We will always check that your personal details are correct when you visit us and please inform us of any changes to your contact details or GP Practice as soon as possible. This minimises the risk of you not receiving important correspondence.

Special Category Data

There may be instances where it is necessary for you to share information with us containing special categories of personal information. This includes information relating to racial or ethnic origin, physical or mental health, sex life or sexual orientation, religious or philosophical beliefs, political opinions, membership of a Trade Union, allegations of criminal offences and criminal convictions and offences, along with biometric data such as fingerprints.

How your personal information is used and collected

Membership records: Membership Engagement Services

The information you provide to us when you sign up as a member is used in order to provide our Membership Engagement Services. The information is stored on a web-based database, provided to Locala by Membership Engagement Services (MES). MES is compliant with IGT (national information security standards).

Your personal data may be processed for the purposes of administration and management, auditing, and information and databank administration.

We will not share your information with any third parties for the purposes of direct marketing.

Usually, we collect this information directly from you.

Sharing of your information

There are a number of reasons why we share information. This can be due to:

- Our obligations to comply with legislation
- Our duty to comply any Court Orders which may be imposed
- To detect or prevent crime or fraud

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. 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.

We will not routinely disclose any information about you without your express permission. However, there are circumstances where we must or can share information about you owing to a legal/statutory obligation.

We will not share your information with any third parties for the purposes of direct marketing.

Legal basis for the processing of your data

The UK GDPR requires that a Controller must have a legal basis for processing Personal Data. These may be:

- (a) Your consent. We will obtain your consent directly from you, and you are able to withdraw your consent at any time. You can do this by contacting membership@locala.org.uk
- (b) We have a contractual obligation.
- (c) We have a legal obligation.
- (d) We have a vital interest.
- (e) We need it to perform a public task.
- (f) We have a legitimate interest.

In some cases, we may process special category data. This is afforded some extra protection due to its sensitive nature, and therefore, under UK GDPR we are required to provide a lawful basis for processing, and a secondary condition under Article 9. The conditions we may rely on are:

- (a) Explicit consent
- (b) Employment, social security and social protection (if authorised by law)
- (c) Vital interests
- (d) Not-for-profit bodies
- (e) Made public by the data subject
- (f) Legal claims or judicial acts
- (g) Reasons of substantial public interest (with a basis in law)
- (h) Health or social care (with a basis in law)
- (i) Public health (with a basis in law)
- (j) Archiving, research and statistics (with a basis in law).

How long we will keep your personal data

We will only keep your Personal Data for as long as is necessary to fulfil the purposes we collected it for, which may include satisfying any legal, accounting, or reporting requirements. The retention period depends on the type of Personal Data and the reason we are processing it.

When calculating the appropriate retention period for your data, we consider the nature and sensitivity of the data, the purposes for which we are processing the data, and any applicable statutory retention periods. Using these criteria, we regularly review the Personal Data which we hold and the purposes for which it is held and processed.

When we determine that Personal Data can no longer be retained (or where we must comply you request us to delete your data in accordance with your right to do so) we ensure that this data is securely deleted or destroyed.

Transfers of information Outside the European Economic Area

Locala Health and Wellbeing ensures that personal confidential data, even it would constitute fair processing, is not, unless certain exemptions apply or protective measures taken, disclosed or transferred outside the European Economic Area to a country or territory which does not ensure an adequate level of protection for the rights and freedoms of data subjects.

Security of information

Our staff are trained to handle your information correctly and protect your confidentiality and privacy.

We aim to maintain high standards, adopt best practice for our record keeping and regularly check and report on how we are doing. Your information is never collected or sold for direct marketing purposes.

We put in place appropriate organisational and technical security measures. These measures include ensuring our internal IT systems are suitably secure and implementing procedures to deal with any suspected data breach.

In the unlikely event of a data breach, we will take steps to mitigate any loss or destruction of data and, if required, will notify you and any applicable authority of such a breach.

Although we use appropriate security measures once we have received your Personal Data, you will appreciate that the transmission of data over the internet (including by email) is never completely secure. We endeavour to protect Personal Data, but we cannot guarantee the security of data transmitted to or by us.

Examples of our security include:

- Encryption, meaning that information is hidden so that it cannot be read without special knowledge (such as a password). This is done with a secret code or what is called a 'cypher'. The hidden information is said to then be 'encrypted'.
- Pseudonymisation, meaning that we'll use a different name or key so we can hide parts of your personal information from view. This means that someone outside of Locala could work on your information for us without ever knowing it was yours.
- Controlling access to systems and networks allows us to stop people who are not allowed to view your personal information from getting access to it.
- Data stewardship is a way for us to be clear about who is responsible for what data and sets out clearly who has access to the data – limiting access to only those who need it to carry out our duties.
- Regular testing of our technology and ways of working including keeping up to date on the latest security updates.

Individual Rights

You have rights under the data protection legislation and, subject to certain legal exemptions, we must comply when you inform us that you wish to exercise these rights. There is no charge, unless your requests are manifestly unfounded or excessive. In such circumstances, we may make a reasonable charge or decline to act on your request. Before we action your request, we may ask you for proof of your identity. Once in receipt of this, we will process the request without undue delay and within one calendar month. In order to exercise your rights please contact the Resolution Team (details can be found below).

You can contact us if you wish to complain about how we collect, store and use your Personal Data. It is our goal to provide the best possible remedy with regard to your complaints.

However, if you are not satisfied with our answer, you can also contact the relevant competent supervisory authority. In the UK, the relevant supervisory authority is the ICO, contact details of which can be found below.

Your rights in connection with personal information are set out below:

Subject Access Request - You have a right to receive a copy of all the Personal Data we hold about you.

Rectification - If any of the Personal Data we hold about you is incomplete or inaccurate, you have a right to have it corrected.

Erasure - This is also known as the “right to be forgotten”. You have a right to ask us to delete your Personal Data where there is no good reason for us continuing to process it. However, certain criteria apply and if we have a legitimate reason to continue processing your personal data, we will not be legally required to delete it.

Objection - You have a right to object where we are relying on legitimate interests as our legal basis for processing your Personal Data but, in certain circumstances we may be able to continue with the processing. For example, if we have compelling legitimate grounds which override your interests, rights and freedoms or your personal information is needed for the establishment, exercise or defence of legal claims.

However, you have an absolute right to object to us processing your Personal Data for direct marketing purposes.

Restriction - You have a right to ask us to restrict the processing of your Personal Data in certain circumstances. For example, you may require us to suspend processing information about you whilst checks are made to ensure it is accurate.

Portability - You have the right to ask us to transfer any Personal Data you have provided to us to another party, subject to certain criteria being satisfied. We will provide this Personal Data in a structured, commonly used and machine-readable format.

Right to withdraw consent - If you have given us your consent for the processing of your Personal Data, you can withdraw this at any time. Please note, the withdrawal has no effect on the legality of the data processing carried out in the past on the basis of your consent. To exercise your right to withdraw consent contact us at Resolution & Information Governance Service, contact details below.

Right to complain - If you are unhappy with the way in which your personal information has been or is being processed, you have the right to make a complaint about it to the Information Commissioner's Office (ICO). They can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
www.ico.org.uk

How can you access your records?

The UK GDPR gives you a right to access the information we hold about you on our records. Requests should be made to the Resolution Team. We will provide your information to you within one month (this can be extended dependent on the complexity of the request) from receipt of your application:

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Before fulfilling your request, we will need to be able to verify your identity and will ask you to provide relevant documents.

Information will be provided free of charge except where requests are unfounded or excessive, in particular repeat requests when we may either charge a reasonable administrative fee or refuse to act on the request.

Resolution & Information Governance Team
Locala Health & Wellbeing
Cleckheaton Health Centre
Greenside
Cleckheaton
West Yorkshire,
BD19 5AP
Tel: 0300 304 5074
Email: DPO@locala.org.uk

Further enquiries

Should you have any further queries on the uses of your information, please speak to our Engagement Officer at membership@locala.org.uk, or our Data Protection Officer by emailing dpo@locala.org.uk 0300 304 5074.

If you would like to withdraw your consent for Locala to store your personal details for the purpose of being a community member, please email membership@locala.org.uk or call 030 3330 9781.

Your obligations

If any of your Personal Data changes whilst you are a user of our services, it is important that you update the information within your account to ensure that the data we hold about you is accurate and up to date.

The Data Protection Principles

We will comply with the UK GDPR and the DPA 2018. Article 5 of the UK GDPR contains the data protection principles, which require that Personal Data shall be:

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- Processed lawfully, fairly and in a transparent way.
- Collected for specified, explicit and legitimate purposes and not used in any way that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary.
- Accurate and, where necessary, kept up to date.
- Kept for no longer than is necessary for the purposes we have told you about.
- Kept securely.

We operate according to the principles of the UK GDPR, and PECR, regardless of the location of the data subject.

Changes to this Privacy Notice

We reserve the right to update this Privacy Notice from time to time. Updates to this Privacy Notice will be published on our website. To ensure you are aware of when we make changes to this Privacy Notice, we will amend the revision date at the top of this page. Changes apply as soon as they are published on our website. We therefore recommend that you visit this page regularly to find out about any updates that may have been made.