

Hampshire Local Optical Committee

Privacy Statement - 2018

Hampshire LOC ("The LOC") treats privacy as a key priority and is committed to protecting members', contractors' and performers' personal information entrusted to it.

Hampshire LOC complies with the Data Protection Act and the General Data Protection Regulations (GDPR) and this policy describes our procedures for ensuring that personal information is processed confidentially, fairly and lawfully.

What personal data do we hold?

In order to fulfil our role we may hold the following personal data: personal details such as members' names, addresses and telephone numbers and email addresses together with GOC numbers and booking information for events. The data we hold is processed in accordance with Article 6 of GDPR, "legitimate Interests"

In order for the LOC to hold this data members must "Opt in" in order to receive notifications and updates. If LOC members do not "Opt in" their details will be removed from all forms of correspondence relating to LOC activities. The LOC uses emails and MailChimp to keep its members informed

Why do we hold information about you?

We hold this information electronically and in paper format for the administration and proper management of the work of the LOC. This work will include the setting up and management of CET events, LOC meetings including AGMs (management committee contact details, raising the profile of Contractor and Performer professional services with CCGs, Acute Trusts and NHSE in order to obtain additional services contracts, and notifying members of any updates received via LOCSU and other appropriate professional bodies.

In order to fulfil the obligation to provide CET and for clinicians to claim CET points it is a requirement to notify the GOC of those who have attended by submitting Surname and GOC number.

Where CET events are set up through external bodies in association with the LOC and it is the external body collecting personal data e.g. Heidelberg, it is the delegates responsibility to decide whether or not to share contact details unless it is through the role of a committee officer with a specific LOC email address or other suitable business address.

We do not generally share member details with external agencies unless it is the express wish of the LOC member who will have provided consent or acted directly.

Users

The LOC Data Controller is the LOC Business Manager who is the committee's named information governance lead.

All officers and authorised users are aware of the confidentiality of members' data and that the data must be processed and stored in a secure manner. They have been informed of their obligations in these matters and advised on how to carry them out. All users are aware of their duty of confidentiality in accordance with the Data Protection Act 1998, Data Protection Bill 2018 and General Data Protection Regulations. Specifically they are prohibited from communicating or disclosing to any third party any confidential information and from using such information for their own purposes, unless prior written authorisation has been obtained from the LOC.

We process the data in accordance with the eight Data Protection Act principles

We make sure that that personal information is:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than is necessary
- Processed in line with your rights
- Secure
- Not transferred to other countries without adequate protection

GDPR

In addition, the GDPR creates rights for individuals and it is a further responsibility for organisations to respect these rights:

- • The right to be informed.
- • The right of access.
- • The right to rectification.
- • The right to erasure.
- • The right to restrict processing.
- • The right to data portability.
- • The right to object.
- • Rights in relation to automated decision making and profiling.

See table 1 for more detail on these eight rights.

Consent and lawful Processing of data

Our legitimate interests, which include processing such Personal Data for the purposes of

- providing and enhancing the provision of our services
- administration and programme delivery
- all other cases: that it is necessary for our legitimate interests which are to run the LOC

Table 1 – Individual Rights Explained

There are eight rights that individuals have under GDPR

Rights	Detail
The right to be informed	<p>We must provide individuals with information about the data processing that is being carried out – this is usually provided in a Privacy Notice or Privacy Statement.</p> <p>The information must be concise, transparent, intelligible and easily accessible, written in clear and plain language and free of charge.</p>
The right of access	<p>Individuals have the right to obtain confirmation their data is being processed and way and copies of that data.</p> <p>More information on Subject access requests and timescales can be found on the ICO website https://ico.org.uk/for-organisations/guide-to-data-protection/principle-6-rights/subject-access-request/</p>
The right to rectification	<p>Individuals can have their personal data rectified if it is inaccurate or incomplete.</p> <p>We must comply with any requests within one month of receipt. This can be extended to 2 months where the request is complex</p>
The right to erasure / be forgotten	<p>This is also known as ‘the right to be forgotten’ – e.g. a person might be able to ask you to delete or remove personal data you hold on them. This applies where there is no compelling reason for its continued processing. It is therefore not applicable where there is a duty to keep accurate records – e.g. keeping CET Training attendance records is a requirement by the GOC for 6 years.</p>
The right to restrict processing	<p>Individuals have the right to ‘block’ or suppress processing of personal data.</p> <p>When processing is restricted, you are permitted to store the personal data, but not further process it.</p>

	This is not expected to occur in Hampshire LOC
The right to data portability	This only applies when processing is carried out by automated means. This is not conducted by or on behalf of Hampshire LOC.
The right to object	<p>Individuals have the right to object to processing in some circumstances.</p> <p>If <i>legitimate interests</i> were used as the lawful basis for processing personal data, Hampshire LOC must stop processing data if an individual objects, unless the LOC can demonstrate compelling legitimate grounds for processing which override the interests, rights and freedoms of the individuals or the processing is for the establishment, exercise or defence of legal claims. Hampshire LOC must stop processing personal data for direct marketing if an individual objects.</p>
The right not to be subject to automated decision-making including profiling	<p>This does not apply to the LOC as it is a non-occurrence.</p> <p>More information can be found on automated decision making on the ICO website https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/rights-related-to-automated-decision-making-including-profiling/</p>