

## Privacy Notice for Represented GPs

- As part of performing our role as a Local Medical Committee (including our statutory and representative functions), The Humberside Group of Local Medical Committees Ltd incorporating Hull & East Yorkshire LMC and North & North East Lincolnshire LMC (Humberside LMCs) collects and processes personal data relating to the GPs we represent. We are committed to being transparent about how we collect and use that data and to meeting all our data protection obligations.

### What information do we collect?

- We obtain and use personal information from various different sources. These are summarised in the following table.

Type of information	Description	Source
<b>Name and contact details</b>	This is basic personal data about you and how to get in touch with you. It may include work and home addresses, phone numbers and email addresses.	This information may be provided directly by you e.g. on the phone, in an email, in person or through our website. It may also be given through one of our forms such as a contact form, Voluntary Levy mandate form or ballot paper.
<b>Organisation-related details</b>	This is information about your organisation and your role within it, such as your job title and who your colleagues are.	<p>Sometimes, the names of GPs and GP trainees are provided to us by their practice or we create records from information that is already in the public domain e.g. your practice website.</p> <p>Sometimes, the names and contact information of local GPs are obtained from other NHS organisations such as NHS Digital (e.g. email addresses obtained from NHS mail), NHS England or CCGs.</p>

<b>Professional details</b>	<p>We may hold a record of your GMC Number.</p> <p>We may also hold details of your professional interests and roles that you perform in addition to your work as a GP.</p>	<p>This information is either provided directly by you or obtained from the GMC website.</p>
<b>Demographic / identifier information</b>	<p>We may hold a record of your date of birth and gender.</p>	<p>This information is usually provided directly by you.</p>
<b>Contractual / employment status details</b>	<p>This is information about your contractual or employment status i.e. partner, salaried, locum, trainee</p>	<p>This information may be provided directly by you e.g. on the phone, in an email, in person or through our website. It may also be given through one of our forms such as a contact form, Voluntary Levy mandate form or ballot paper.</p> <p>Sometimes, contractual status is provided to us by your practice, e.g. through our monthly update requests. We also create records from information that is already in the public domain e.g. your practice website.</p>
<b>Contact history</b>	<p>This is information about our dealings with you, such as what information we have sent you, records of our interactions with you (emails, phone calls and meetings), your queries and how we have responded to them, views or opinions you have given us when we have consulted with you.</p> <p>It may also include what meetings, events or webinars you have attended and information about your behaviour in response to our interactions with you, such as whether you have opened our emails, clicked on a link or watched a video.</p>	<p>Sometimes this information is provided by you (for example, emails you have sent us).</p> <p>On other occasions, we produce these records ourselves e.g. in the form of notes and minutes.</p>
<b>Personal Information</b>	<p>This is information about personal or professional challenges or performance information.</p>	<p>This information is normally provided by you.</p> <p>Sometimes, information may be shared with us by other NHS bodies through confidential forums such as the Performance Advisory Group which the LMC sits on to represent the interests of its represented GPs.</p>

<b>Voting Details</b>	This is the information you have given us in relation to standing for an election (LMC, CCG or other election being run by the LMC) or in casting a ballot in one. It may include: <ul style="list-style-type: none"> <li>• Personal information about your career, knowledge, skills and experience</li> <li>• Ballot forms recording your own or your practice vote for a candidate</li> </ul>	This information is always provided by you.
<b>Financial Details</b>	This is information such as your bank details (for reimbursing expenses incurred in relation to LMC activities), agreement to pay the voluntary levy and also any financial interests you may have for the purposes of managing potential conflicts of interest.	This information is always provided by you.
<b>Login credentials</b>	This is information such as your username and password, which are recorded if you sign up to or use any of our web-based services (such as booking to attend one of our events via our online booking function provided via Fourteen Fish or to advertise a job on <a href="http://www.generalpracticejobs.org.uk">www.generalpracticejobs.org.uk</a> ).	This information is provided by you or may sometimes be generated by us (for example, if we reset a password for you).
<b>Device information</b>	This is information about the device you are using to access our websites, such as the type of device, its operating system, browser, its IP address, and what cookies are on it.	We produce these records ourselves by monitoring your use of our websites.
<b>Website usage</b>	This is information about your use of our websites, such as what pages you have visited and what content you have downloaded.	

3. In certain circumstances, we may also hold data about you that is known as **special category data**. This may include the items specified below:

<b>Type of information</b>	<b>Description</b>	<b>Source</b>
Trade union membership	This is your membership (or not) of the British Medical Association.	This information is always provided by you.
Health Information	This may include details of any physical or mental health problems you share with the LMC.	This information is normally provided by you.  Sometimes, information may be shared with us by other NHS bodies

		through confidential forums such as the Performance Advisory Group which the LMC sits on to represent the interests of its represented GPs.
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### How do we store your data?

4. Data will be stored in a range of different places including paper records, our websites and on other IT systems (including email and cloud-based software).
5. We are based in the United Kingdom, and will access and use your information from here.
6. Where we use third party suppliers to provide us with services, data may be sent and processed outside of the UK. For example, our cloud-based task management and collaboration tool is currently provided by a company which is based in the United States. People in other countries may also need to access the data held within the tool for purposes such as technical support.
7. Where data we control is processed outside of the UK but within the European Economic Area (EEA), the use of the information in those locations is protected by the same European data protection standards that apply within the UK.
8. Where data we control is processed outside of the EEA, we will ensure that suitable safeguards are in place to protect the information sent overseas. This will include making sure that information is only sent to an organisation which is a member of a scheme which has been approved by the authorities as providing a suitable level of protection. One example is the "Privacy Shield" scheme that has been agreed between the European and US authorities.

### Why do we process personal data?

9. **Statutory Functions** – We use personal data in the exercise of our statutory functions which include being consulted on and giving advice to NHS England and CCGs with regard to many aspects of the GMS/PMS contract, Pharmaceutical Services Regulations and Statement of Financial Entitlements. For example, if consulted about a list closure request, the LMC may use personal data to contact to seek further information and views before responding.
10. **Relationship management** - We use personal data for relationship management purposes. Relationship management is the ongoing maintenance of our relationship with our represented GPs. This could include activities such as:
  - Keeping you informed about the functions of the LMC, the services you are entitled to from the LMC and how to access these
  - Responding to your requests for advice, information and support
  - Seeking your views on local matters to enable us to fulfil our representative function
  - Sharing relevant and interesting information applicable to your role as a local GP
11. **Election management** – We use personal data for running elections to our Local Medical Committees as set out within our constitutions. We also use this data to hold elections on behalf of local Clinical Commissioning Groups.

12. **Representation** – We use collated data about our local GPs such as age, gender, geographical distribution and employment status as part of our representative function i.e. we need to know how many GPs we represent, in which locations and how the workforce is split between sessional and partner GPs. We also use personal data to service our two representative committees (Hull & East Yorkshire LMC and North & North East Lincolnshire LMC) including circulating meeting papers, keeping minutes and consulting with Committee members.
13. **Pastoral Care & Fair Process**– We use personal data to provide help, support and advice to individual GPs in relation to difficulties they may be experiencing in their work or personal lives. This information may also be used for the purpose of ensuring that fair process is followed in relation to any performance management or investigative activity undertaken by NHS England, the GMC etc.
14. **Providing information and services** – A key part of our role is to provide relevant information and guidance to you as one of our represented GPs. We use your personal data to email you our newsletter, highlight specific issues you may need to know about that relate to GPs or general practice, and to tell you about relevant events and training we are organising for you. If you sign up to one of our events we will also use your contact details to provide information about it e.g. timings and venues and follow-up information such as sharing presentations given and providing CPD certificates.

We will not send you our newsletter or information about events and training being offered if you have told us that you do not want to hear from us in that way. Please note that if you ask us not to contact you for these purposes, you will still hear from us for other reasons – for example, as part of our ordinary relationship management activity or as part of our statutory and representative functions.

15. **Monitoring and improving our websites** - We use information such as how different people navigate around our websites, how long they spend on particular pages and whether they download any of our content in order to help customise and improve the user experience of our websites. It also allows us to tailor the website to match your interests and preferences better and helps us understand who has visited which pages to determine the most popular areas of the website.
16. **Legal and regulatory purposes** - We may use your personal data for legal and regulatory purposes. For example, this might include responding to complaints or enquiries from you or a regulator about how we have used your personal data.

### What are our legal grounds for handling personal data?

17. We need to process data to fulfil our statutory functions in relation to contractual and regulatory matters (GMS/PMS contracts). The legal basis for this is that the task is carried out in the **public interest** or in the exercise of official authority.
18. We also have a **legitimate interest** in processing the personal data of the GPs we represent. As the local representative body for general practice, we need to be able to:
  - contact and consult with our represented GPs
  - advise GPs about our functions and services
  - respond to requests for advice, information and support

- keep represented GPs informed about matters relating to general practice including national, regional and local policy developments, good practice, training, events and business opportunities
  - conduct elections for Hull & East Yorkshire LMC, North and North East Lincolnshire LMC and local Clinical Commissioning Groups so that we can ensure that local GPs are being properly represented in these forums in line with their constitutions
  - understand the age, gender, geographical distribution and employment status of the local GP population so that we can form and share views about the profession locally, for example, with respect to workforce and workload issues
  - Ensure fair process is followed in relation to any performance management or investigative activity undertaken by NHS England, the GMC or other body.
19. Some of the ways we use personal data are justified by the need to ensure that our systems and the data we make available through our website are kept secure and only made available to the correct people. The legal basis for monitoring and securing our systems and data in this way is therefore **legitimate interest**.
20. We may in some circumstances rely on your **consent** to process your data. In those circumstances, you will be specifically asked whether you agree to us using your data in specified ways. For example, we may ask for your consent to use a photograph of you in a document we produce. You can withdraw your consent and ask us to delete any information given to us solely for the specified purpose at any time. (Please note that in the example given, we would not be able to destroy all printed documents that your photograph had been used in e.g. an annual report but we will destroy the stored image of you and cease using it for any future purposes.)
21. If you sign up to one of our products or services, it may be necessary for us to use your details in order to provide that product or service. In such circumstances, the legal basis for processing your data would be that it is necessary for the **performance of a contract or to take steps to enter into a contract**.
22. Regulators, government bodies and courts have powers to order us to provide information and, like any other organisation, we sometimes have to comply. An example would be if the LMC was required to make data available to the GMC. In such circumstances, the legal basis for providing the information would be that it is necessary in order to **comply with a legal obligation**.

### Special Category Data

23. **'Special Categories'** of personal data are defined within the GDPR as 'data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation'.
24. We do not routinely process data of this nature. However, there are circumstances in which we may collect or be provided with access to:
- Details of trade union membership (We may ask about membership of the BMA to advise about whether certain services can be accessed or if you were nominated to attend a BMA event on behalf of the LMC)

- Health information about you (You may give us this information as part of seeking pastoral support from the LMC or it may be shared with us as part of our statutory role which requires that the LMC is consulted where it appears that a doctor is incapable of providing general medical services because of his/her physical or mental health.)
25. Where we process special categories of information as outlined above, one of the following legal basis will always be used:
- (a) **Explicit Consent** – we will specifically ask you to give us your informed consent.
  - (b) **Legitimate Activities** – we will carry out the processing in the course of our legitimate activities with appropriate safeguards in our capacity as a not-for-profit body with a political, philosophical, religious or trade union aim. We are able to use this condition on the basis that the processing relates only to current or former represented GPs and that we will not disclose it outside of the LMC without your consent.
  - (c) **Public Interest in the area of Public Health** - processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy.

### Who has access to your data?

26. Your information may be shared internally within The Humberside Group of Local Medical Committees Ltd and be accessed by any of our employees if the data is necessary for the performance of their roles.
27. **Service providers** - We may provide your information to third parties who help us use it for the purposes described above. For example:
- Our database of personal data may be hosted by third parties on our behalf.
  - We may use a third party email broadcasting service in order to send you emails and newsletters e.g. Mail Chimp
  - We may use a service such as Survey Monkey to gather views about the LMC's services or to consult on specific issues related to general practice.

These service providers will not be allowed to use your information for their own purposes or on behalf of other organisations, unless you agree otherwise.

28. **Regulators** - We may sometimes need to pass personal data to a regulator such as the Information Commissioner's Office or the GMC.
29. **Sharing of anonymised data with third parties** - We may share anonymised information with other third parties, but only where the information cannot realistically be identified as relating to you.

## How do we protect data?

30. We take the security of your data seriously. We have a Data Protection Policy in place to ensure that your data is not misused or disclosed and is not accessed except by our employees in the proper performance of their duties.

## How long do we keep data?

31. We will not keep your personal data for longer than we need it.
32. If you are a GP within the areas of Hull, East Riding, North Lincolnshire and North East Lincolnshire, we will normally keep your personal data while you are providing NHS general medical services as an independent contractor, salaried GP or locum GP or whilst you remain on the Performers List and for 2 years after you retire, cease practising or are removed from the Performers List.
33. If you are a GP trainee, we will normally keep your personal data whilst you are undertaking placements in Hull, East Riding, North Lincolnshire or North East Lincolnshire as part of the Vocational Training Scheme (VTS). If you subsequently commence practising as a fully qualified GP within the area, we will retain your data as outlined in paragraph 32 above. If you do not commence practising in the area, we will delete your information.
34. If you are an elected, co-opted or observer of Hull & East Riding or North & North East Lincolnshire LMC, we will retain some of your personal data in the form of meeting minutes and declarations of interest for 10 years.
35. We will keep information provided to us in relation to any elections to the LMC or elections conducted by the LMC on behalf of other organisations for 3 years.
36. If we process any of your data for financial reasons e.g. reimbursement of expenses, these will form part of our financial record-keeping processes and will be retained for 6 years.
37. Where you have supplied us with your personal information on the basis of consent for a specific purpose, you can request us to delete it earlier as explained in the 'Your Rights' section below.

## Your rights

38. You have a number of different rights in relation to the personal data that we hold about you. These are:
  - **Access:** You have a right to find out what personal data we hold about you, and certain other information such as how we are using it.
  - **Withdrawal of consent:** When we rely on your consent to use your data, you have the right to withdraw that consent at any time. You can do this by contacting us.
  - **Rectification:** If the information that we hold about you is inaccurate or out of date, you have a right to ask us to correct it.
  - **Objection to legitimate interests:** If you disagree with us relying on the legitimate interests grounds for using your personal data, you can object to us doing so. We will then reassess the extent to which we can continue to use the data in light of your



particular circumstances. In the case of our newsletter or emails that are sent on the basis of legitimate interests, you can do this by clicking on the "unsubscribe" link.

- **Erasure:** In certain circumstances you can ask us to delete your personal data from our systems. However, this usually won't apply to all of your data because we might have good reason for needing to keep some of it.
- **Restriction:** In some circumstances you can ask us to restrict the ways in which we use your personal data.
- **Portability:** You have the right to receive some limited kinds of information in a portable format.

39. If you would like to exercise any of these rights, have any concerns as to how your data is processed or would like further information on anything contained within this document, please contact Amalia Booker, Director of Operations by any of the following means:

Email: [amalia.booker@nhs.net](mailto:amalia.booker@nhs.net)

Phone: 01482 655111

Post: The Humberside Group of Local Medical Committees Ltd, Albion House,  
Albion Lane, Willerby, Hull, HU10 6TS

40. If you believe that the organisation has not complied with your data protection rights, you can complain to the Information Commissioner's Office (ICO). Further information about reporting a concern can be found at: <https://ico.org.uk/concerns/>. The ICO can also be contacted:

By phone: 0303 123 1113

In writing: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow,  
SK9 5AF