

PRIVACY NOTICE – Overseas Visitors
Liverpool Women's Hospital NHS Foundation Trust

Introduction

This document summarises who we are, what information we hold about you, what we will do with the information we hold including who we may share it with and how long we will keep the information for. This document also explains what rights you have with respect to your information.

Who are we?

The Liverpool Women's Hospital is a public organisation providing specialist medical services such as Gynaecology, Maternity, Fertility and Genetics.

The Trust is registered with the Information Commissioner's Office (Registration Number **Z7119932**)

Our name, address and contact details are:

Liverpool Women's NHS Foundation Trust
Crown Street
Liverpool L8 7SS
Tel: 0151 708 9988
www.liverpoolwomens.nhs.uk

Why do we collect information about you?

We need information about you in order to comply with our legal obligation, which is to ensure that the Trust is paid for any services it provides and to undertake any processing that will allow us to verify whether you are entitled to free NHS care. Our obligations are set out in the Department of Health & Social Care Guidance on implementing the overseas visitor charging regulations.

Whilst we receive information from you when you come into contact with us, we also receive information about you from other individuals or organisations, such as when you are referred for treatment or in response to questions relating to your eligibility for free NHS care. We also need enough information to be able to provide you with appropriate healthcare services.

Where it is necessary for discharging our obligations in this area, your personal information may be sent to the Home Office. The information provided may be used and retained by the Home Office for its own purposes, which include enforcing immigration controls overseas, at the ports of entry and within the UK. The Home Office may also share this information with other law enforcement and authorised debt recovery agencies for purposes including national security, investigation and prosecution of crime, and collection of fines and civil penalties

What types of information do we use?

Personal data means any information relating to an identified or identifiable individual; an identifiable person is one who can be identified directly or indirectly.

Special category data means any information relating to racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union activities, physical or mental health, sexual life or genetic or biometric data.

What do we use your information for?

The hospital may need to process your information in order to:

- Establish your identity and your entitlement to free NHS treatment
- Ensure that the information we hold about you is valid and up to date
- Record NHS debtors to the Department of Health & Social Care
- Determine your immigration status using Home Office services
- Prevent, detect and prosecute fraud and other crime
- Provide translation and interpreter services to you

The hospital may record telephone conversations for training and monitoring purposes

Information we may receive about you which may not be supplied by you

We may receive information about you which you haven't provided to us. This could be, for instance:

- If we need to verify your immigration status which provides information about your entitlement for free NHS treatment
- If we are dealing with a legal or immigration matter to which you are a relevant party
- If we are dealing with the safety, security, health and wellbeing of someone associated with you
- If we receive information in the form of an alert or warning and are legally obliged to act on it

What is the lawful basis to process your information?

The General Data Protection Regulations and the Data Protection Act 2018 allow us to process your data under the following conditions:

Where we process your **personal or special category data** we will do so in order to **comply with a legal obligation** to which the Trust is subject.

There may occasions when we will be obliged to process your information in order to comply with a court order, coroner's instruction, to prevent or detect crime or to comply with the law. Where we do this we will process your **personal and/or special category data** to **comply with a legal obligation** to which the Trust is subject

If we process your information for other purposes that are not described above then we will seek your **consent** to do so before we process it

The Trust does not undertake automated decision-making or profiling of your personal information

With whom do we share your information?

We may need to share your information with external organisations, such as:

- NHS managers and the Department of Health for the purposes of planning, commissioning, managing and auditing healthcare services
- Organisations with statutory investigative powers such as the Care Quality Commission, the General Medical Council, the Audit Commission or the Health Service Ombudsman
- Department of Health & Social Care, Home Office and registered charities
- Solicitors, the police, the courts (including a Coroner's court), debt recovery agencies, clinical commissioning groups and to tribunals and enquiries
- Government agencies or public bodies within your home country
- Companies that provide translation services and with whom we have a contract

We will not share your information for marketing, social media or insurance purposes unless we have your **consent** to do so

How long do we keep your personal information for?

The NHS has a comprehensive set of guidelines, which govern the length of time that we may keep your records for, which are called the NHS Retention Schedules. The Liverpool Women's Hospital will comply with the NHS Retention Schedules.

There may be occasions where the Trust will be obliged to vary from the NHS Retention Schedules, for examples, in response to a Court Order or other equivalent legal requirement

Information about the NHS Retention Schedules may be found via the NHS Digital Website at:

<https://digital.nhs.uk/article/1202/Records-Management-Code-of-Practice-for-Health-and-Social-Care-2016>

What measures do we take to protect your information?

We take our duty to protect your personal information and confidentiality seriously. We are committed to taking all reasonable measures to ensure the confidentiality and security of personal data for which we are responsible, whether computerised or on paper.

We have appointed a Senior Information Risk Owner (SIRO), a 'Caldicott Guardian' and Data Protection Officer who between them are responsible for the management of confidentiality. We also have a specific department led by a Head of Information Governance. We use control systems to allow only those that have a need to access your records and we have monitoring systems in place to verify who has accessed your records

Under the NHS Confidentiality Code of Conduct, all our staff are also required to protect your information and inform you of how your information will be used.

Everyone working for the NHS is subject to the common law duty of confidentiality. Information provided in confidence will only be used for the purposes advised or consented to, unless it is required or permitted by the law.

What are your rights in relation to your personal information?

Unless subject to an exemption, you have the following rights with respect to your personal data:

- The right to request a copy of your personal data which the Liverpool Women's Hospital holds about you

- The right to request that the Liverpool Women's Hospital corrects any personal data if it is found to be inaccurate or out of date
- The right to request your personal data is erased where it is no longer necessary for Liverpool Women's Hospital to retain such information
- The right to withdraw your consent to the processing at any time if you have previously given consent for processing
- The right to request that the Liverpool Women's Hospital provide you with your personal information and where possible, to transmit that data directly to another data controller, where your information has been processed with your consent
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing
- The right to object to the processing of personal data

Further information about your rights can be found via the Information Commissioners website, which is <https://ico.org.uk/>

What happens if we need to transfer your information abroad?

The Liverpool Women's Hospital do not routinely transfer information outside the European Union but may do if there is a need to make contact with a government agency in your home country. Some organisations we share with, such as debt recovery agencies may transfer information outside the European Union as if there is a need to do so.

Where this is the case we will ensure that the security and protections that are put in place are of equivalent standard to those standards that we would use internally when processing your information

What if we wish to use your information for another purpose?

If we wish to use your personal information for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining the new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will ensure there is a legal justification for such processing

Where the Liverpool Women's Hospital wish to use your information that is for any reason not in line with this Privacy Notice and we are not using it to comply with a **legal obligation** then we will seek your **consent** to do so

Where can you get further information?

If you do not wish to have your information used in any of the ways described, please contact:

Data Protection Officer
 Liverpool Women's Hospital
 Crown Street
 Liverpool L8 7SS
 Telephone number 0151 708 9988
 Email: dataprotectionofficer@lwh.nhs.uk

The Trust website address is www.liverpoolwomens.nhs.uk

For general enquiries you can contact the Head of Information Governance at the same address as above on 0151 702 4386