



# Bermuda Hospitals Board

## BOARD AND COMMITTEE MEMBERS PRIVACY NOTICE

This Board and Committee Members Privacy Notice informs individuals currently serving on the Bermuda Hospitals Board (BHB) and its Committees and Sub-Committees, of how BHB uses their personal information (including sensitive personal information).

Your privacy is important to us. This Board and Committee Member Privacy Notice is a live document and will be kept under review and updated, as required, to comply with Bermuda law and any new guidance from the Privacy Commissioner or the Bermuda Government.

### WHO IS BHB AND WHAT DO WE DO?

BHB is responsible for the general charge and management of hospitals on island (inclusive of the King Edward VII Memorial Hospital, the Mid-Atlantic Wellness Institute and the Lamb Foggo Urgent Care Centre) as well as the provision of health services within the jurisdiction.

### LEGAL STATUS OF THIS NOTICE

The Personal Information Protection Act 2016 (**PIPA**) places all individuals, private entities and public authorities that use personal information in Bermuda (whether by automated means or as part of a structured filing system) under legislative obligations to protect that information. Part of those obligations involve the provision of a privacy notice to individuals by the time their personal information is collected, or as soon as possible thereafter.

PIPA requires that organisations use personal information only for the specific purposes provided in their privacy notices or for purposes that are related to those specific purposes (with some limited exceptions).

BHB has prepared this Board and Committee Member Privacy Notice for circulation to all Board, Committee and Sub-Committee Members to help educate them of their legal rights generally and of BHB's specific legal obligations as an organisation using personal information under PIPA.

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**King Edward VII Memorial Hospital** | P.O. Box HM1023, Hamilton HMDX, Bermuda | Telephone: 441 236 2345

**Mid-Atlantic Wellness Institute** | P.O. Box DV 501, Devonshire DVBX, Bermuda | Telephone: 441 236 3770

[www.bermudahospitals.bm](http://www.bermudahospitals.bm)

## KEY DEFINITIONS

PIPA establishes the following new statutory definitions as referred to in this Board and Committee Member Privacy Notice:

- **personal information:** means any information about an identified or identifiable individual.
- **sensitive personal information:** means any personal information relating to an individual's place of origin, race, colour, national or ethnic origin, sex, sexual orientation, sexual life, marital status, physical or mental disability, physical or mental health, family status, religious beliefs, political opinions, trade union membership, biometric information\* or genetic information\*\*.
  - \* **biometric information** means any information relating to the physical, physiological or behavioural characteristics of an individual which allows his unique identification, such as facial images or fingerprint information.
  - \*\* **genetic information** means all personal information relating to the genetic characteristics of an individual that have been inherited or acquired, which give unique information about the physiology or the health of that individual resulting, in particular, from an analysis of a biological sample from the individual in question.
- **use or using:** in relation to personal information, means carrying out any operation on personal information, including collecting, obtaining, recording, holding, storing, organising, adapting, altering, retrieving, transferring, consulting, disclosing, disseminating or otherwise making available, combining, blocking, erasing or destroying it.

## OUR PRIVACY OFFICER

BHB has appointed a Privacy Officer who will have primary responsibility for communicating with the Privacy Commissioner and for members of the public (inclusive of Board, Committee and Sub-Committee Members) to contact if they have any questions or concerns on how we use personal information. The Privacy Officer's name and contact information is as follows:

Garland Swan, Privacy Officer  
King Edward VII Memorial Hospital, 7 Point Finger Road, Paget DV04  
[privacy@bhb.bm](mailto:privacy@bhb.bm)

We aim to meet the highest standards when using personal information and sensitive personal information.

## USE OF BOARD MEMBER PERSONAL INFORMATION

### OVERVIEW

BHB primarily uses the personal information (inclusive of sensitive personal information) of individuals who serve on our Board of Directors or its Committees and Sub-Committees in order to manage your

fiduciary obligations and functions associated with your appointment.

## WHAT PERSONAL INFORMATION WE MAY COLLECT AND USE

We use the personal information of Board, Committee or Sub-Committee Members inclusive of:

- Names
- Signatures
- Email address
- Telephone numbers
- Postal addresses
- Educational background
- Qualifications
- Occupational/employment history
- Public/voluntary appointments
- Other directorships
- Charity trustee declarations
- Bank account details
- Car registration numbers
- Name of partner/spouse
- Dietary requirements
- Additional contact details
- Photographs
- Correspondence
- Attendance at meetings
- Opinions expressed in meetings
- Accommodations to account for a physical disability

## WHY ARE WE USING YOUR PERSONAL INFORMATION?

It is necessary for BHB to process your personal information in order to comply with BHB's internal and legal obligations and also for a number of legitimate business purposes that include but are not limited to:

- recommendation, recruitment and selection of new members
- contacting you in connection with Board, Committee or Sub-Committee business
- for including in agendas, papers and terms of reference
- for inclusion in minutes of Board Committee and Sub Committee meetings (which may be posted to meeting platforms)
- recordings of meetings (which may be published on a meeting platform)
- membership lists (which may include contact details)
- to add you to relevant mailing lists for BHB publications
- for inclusion in BHB's annual report and financial statements
- to fulfil the requirements of BHB's banking arrangements

- for the administration of payroll and expenses claims
- to maintain a Register of Interests containing declarations from each member of the Board and its Committees and Sub-Committees.
- for the administration, support, monitoring and management of access to BHB's IT services
- sharing contact details with other members of the Board and members of all Committees and Sub-Committees.
- to confirm accommodation, dietary and access requirements for events
- to book training with external organisations
- to provide reports and returns required by funding agencies, government departments and to public bodies
- to meet statutory and other legal requirements
- to ensure that Members have not been disqualified as a charity trustee in accordance with the Charities Act 2014
- for maintenance of physical premises and property owned and/or controlled by BHB
- for prevention & detection of activity in breach of BHB protocols, policies and/or Bermuda law (e.g. BHB swipe cards registered to Board, Committee or Sub Committee Members, photo ID badges, CCTV and other surveillance systems). Further information on BHB's use of CCTV is provided in the [CCTV-Privacy-Notice](#) and
- to protect the vital interests of Board and all Committee and Sub-Committee Members and others, i.e. in emergencies/life or death situations/where we believe that a member or another individual is at significant risk of harm

### WHO WE SHARE YOUR INFORMATION WITH

You should be aware that in order to provide our services we may need to share your personal or sensitive personal information within the organisation or outside it. The privacy of your personal information is paramount and will not be disclosed unless there is a justified purpose for doing so.

BHB may disclose your information to:

- BHB employees who need the information for administrative purposes
- Contractors and suppliers, where BHB uses external services or has outsourced work which involves the use of Board, Committee and Sub Committee Members' personal information on our behalf
- Government bodies and departments responsible for healthcare regulation; public funding; and statistical analysis, monitoring and auditing
- Hotels and external venues for bookings, to confirm accommodation, dietary and access requirements
- BHB's banks and lenders for completion of bank mandates
- BHB's insurers, legal advisers and auditors
- Viewers of BHB's website; annual report and financial statements; and other BHB publications

### HOW LONG DO WE KEEP PERSONAL INFORMATION OF BOARD MEMBERS?

BHB retains the personal information of Board, Committee and Sub-Committee Members in accordance

with Bermuda law. BHB deletes all personal information when it is no longer needed for the purposes for which it is held.

## RIGHTS OF BOARD, COMMITTEE AND SUB-COMMITTEE MEMBERS UNDER PIPA

PIPA provides individuals with a number of statutory rights in relation to their personal information which is held by organisations, including Board, Committee and Sub-Committee Members. These rights are subject to a number of statutory exemptions. This aspect of our Board and Committee Member Privacy Notice provides a general overview of these rights:

### **The right of access to personal information**

You have a right to request and BHB is required to provide:

- personal information about yourself which is in the custody or under the control of BHB;
- the purposes for which your personal information has been and is being used by BHB; and
- the names of the persons or types of persons to whom and circumstances in which your personal information has been and is being disclosed.

To access to the personal information shared with BHB in your capacity as a Board Member, please complete the [Subject Access Request Form](#). Completed forms should be sent to the Privacy Officer at [privacy@bhb.bm](mailto:privacy@bhb.bm).

### **The right to request the rectification of your personal information**

If you believe that personal information concerning you which is under the control of BHB has an error or omission, you can make a written request for a correction to the same.

If there is an error or omission in personal information that your correction request has identified, BHB must correct your personal information as soon as reasonably practicable, or we will add a note regarding the erroneous information where its erasure is not possible due to systems limitations. Where BHB has disclosed the incorrect information to other organisations, BHB must send a notification containing the corrected information to each organisation to which the incorrect information has been disclosed, if it is reasonable to do so.

### **The right to request the erasure or destruction of your personal information**

You have the right to request BHB to erase or destroy your personal information where that personal information is no longer relevant for the purposes of its use by BHB. The right to erasure is also known as the 'right to be forgotten'.

On receiving such a request, BHB must erase or destroy your personal information that you have identified in your request, or provide you with written reasons as to why the use of such personal information is justified.

If you would like to request the erasure or destruction of your personal information please complete the [Subject Access Request Form](#) and send to the Privacy Officer at [privacy@bhb.bm](mailto:privacy@bhb.bm).

### **The right to request the cessation of the use of your personal information**

You have the right to request BHB to cease, or not to begin, using your personal information:

- a) for the purposes of advertising, marketing or public relations; or
- b) where the use of that personal information is causing or is likely to cause substantial damage or substantial distress to yourself or to another individual.

On receiving a request described in sub-section (a) above, BHB must cease, or not begin using your personal information for the purposes of advertising, marketing or public relations.

On receiving a request described in sub-section (b) above, BHB must either cease, or not begin, using the personal information that you have identified in your request, or provide you with written reasons as to why the use of such personal information is justified.

If you would like to request the cessation of the use of your personal information please complete the [Subject Access Request Form](#) and send to the Privacy Officer at [privacy@bhb.bm](mailto:privacy@bhb.bm).

### **CHANGES TO THIS PRIVACY NOTICE**

BHB reserves the right, at our discretion, to change, modify, add to, or remove portions from, our Board and Committee Members Privacy Notice. We will of course notify you of any changes where we are required to do so.