

BENENDEN CHARITABLE TRUST

PRIVACY NOTICE

This privacy notice tells applicants to Benenden Charitable Trust ('BCT') what to expect when BCT collects, uses, retains and discloses your personal information. Personal information is information that (on its own or together with other information) identifies you and is about you. This notice was last updated in August 2018.

Who we are

BCT is a fully owned subsidiary of the Benenden Healthcare Society Limited, and is registered at Holgate Park Drive, York, YO26 4GG. Its registered charity number is 1106287.

The Benenden Healthcare Society Ltd has a separate privacy notice. If you are a member of the Benenden Healthcare Society, then you will have received a copy of this privacy notice. Alternatively it can be found online at www.benenden.co.uk/privacy-policy

To ensure that we process your personal information fairly and lawfully, this notice informs you:

- Why we need your personal information;
- How it will be used;
- With whom it will be shared; and
- What rights you have in relation to the personal information we collect.

Within this notice we describe instances where BCT is the 'data controller' (the organisation who decides what personal information is collected and how it is used), and where we direct or commission the processing of personal information by third parties on our behalf to provide services or improve our offering to you.

Our commitment to your privacy

We recognise the importance of protecting personal and confidential information in all that we do, and we take care to meet our legal duties. We put in place all reasonable technical, security and procedural controls required to protect your personal information for the whole of its life, in whatever format we hold that information in.

How the law protects you

Your privacy is protected by law, which says that we can use your personal information only if we have a proper reason to do so. This includes sharing it outside of BCT (explained below). The reasons why we may process your personal information are:

- When we have an agreement, or as a precursor to an agreement
This applies to the majority of our data processing, including all information collected as part of your application and all assessments of your request for our assistance.
- When we are legally obliged
This applies to our records of financial payments and transaction, and to BCT's governance by our Trustees.
- When it is in our legitimate interest - *A legitimate interest is when we have a business or commercial reason to use your information, but this must not unfairly go against your rights or freedoms*
This applies to some of our record keeping systems, which allow us to deliver the BCT services more efficiently.
- When you consent to it
This applies to our fundraising contact information.

What types of personal information do we handle?

We process personal information to enable us to run BCT, to support the provision of services to applicants, and to maintain our own accounts and records.

The types of personal information we use include:

- Personal details such as names, addresses, telephone numbers, dates of birth;
- Employment details, work or profession details;

- Financial details;
- Details of when you contact us and when we contact you (including copies of written communications such as emails or letters);
- The consents which you have given us in relation to the processing of your information;
- Physical or mental health details. This information requires special protection by law – we will always explain what information we require and why it is needed when collecting this information. It will always be processed and stored securely.

Where we collect personal information from

We collect your personal information from our application form, and from any other information you supply us with. If you use or access the Benenden website, information will be collected about your use of the website. For more information about Benenden's use of your personal information through their website (including cookies), please visit www.benenden.co.uk/privacy-policy and www.benenden.co.uk/cookies

If you choose not to give personal information

If you choose not to give us personal information, it may delay your request for assistance, or prevent us from being able to offer assistance to you. We will notify you if your choice not to give personal information to us would have an impact upon your request for assistance.

Who we share your personal information with

In the usual course of our business, we may use other third party organisations known as 'data processors' under data protection law to support the essential delivery of our services. These organisations process your personal information on our behalf.

These types of organisations are:

- Providers of business services such as auditors, consultants, solicitors and/or insurers (to enable us to run BCT efficiently and to comply with governance best practice);
- Providers of records management services such as secure disposal suppliers (to enable us to secure data efficiently);
- Providers of IT systems or services (to enable us to run BCT efficiently);

When we share your information with our approved third-party providers, our contractual relationship with them prevents them from using your information for any other purpose outside of our instructions to them. They may use their own third-party data processors, but are always required to meet the same legal requirements as we are.

BCT will never share or sell your information to external companies for their own marketing purposes.

Sending personal information outside of the EEA

Data protection law holds all countries in the European Economic Area ('EEA') to the same high standards. If we transfer information outside of the EEA, we will make sure that it is protected to these standards.

We will only send your personal information to countries outside of the EEA to:

- Follow your instructions;
- Comply with a legal duty; or
- Work with other third-party organisations (as detailed above) who we use to help provide our services to you.

We will always use one or more of these safeguards:

- Transfer it to a non-EEA country with privacy laws that give the same protection as the EEA;
- Put in place a contract with the recipient that means they must protect it to the same standards as the EEA; or
- Transfer it to organisations that subscribe to Privacy Shield. This is a framework that sets privacy standards for personal information sent between the US and EU countries.

Your right to withdraw consent

You can withdraw your consent at any time. If you want to do so, please contact us by:

- Writing to us at: Benenden Charitable Trust, Holgate Park Drive, York, YO26 4GG;
- Emailing charitabletrust@benenden.co.uk; or
- Telephoning us on 0800 414 8450.

How long we keep your personal information

We will keep your personal information for the duration of your application for assistance from BCT.

After your application is completed:

- We will keep your personal information for the minimum time necessary
- We may keep your personal information for up to 7 years for one of these reasons:
 - o To respond to questions or complaints;
 - o To show that we treated you fairly; or
 - o To maintain records according to legal requirements and documented business need.
- We may keep your personal information for longer than 7 years if we cannot delete it for legal, regulatory or technical reasons. In these circumstances, we will make sure that your privacy is protected and only use it for legal or regulatory purposes.

YOUR RIGHTS

The rights you can invoke are detailed below. In order to exercise your rights under data protection law, we will need to verify your identity for your security.

You can contact us by emailing data.protection@benenden.co.uk, writing to Data Protection Officer, The Benenden Charitable Trust, Holgate Park Drive, York, YO26 4GG or telephoning us on 0800 414 8450.

How to get a copy of your personal information

You can request a copy of your personal information, as well as why we have that personal information, who has access to that personal information and where we got that personal information from at any time. Once we have received your request we will respond within 30 days.

Letting us know if your personal information needs updating

You have the right to question any information we hold on you that you think is wrong, out of date or incomplete. If you do, we will take reasonable steps to check its accuracy and correct it.

If you want us to stop using your personal information

You have the right to object to our use of your personal information, or to ask us to delete, remove or stop using your personal information if there is no need for us to keep it. This is known as the 'right to object' and the 'right to erasure' (or 'right to be forgotten').

We may be able to restrict the use of your personal information so that it can only be used for certain things, such as legal claims or to exercise legal rights. In this situation, we would not use or share your information in other ways while it is restricted.

You can ask us to restrict the use of your personal information if:

- It is not accurate;
- It has been used unlawfully but you don't want us to delete it;
- It is not relevant any more, but you want us to keep it for use in legal claims; or
- You have already asked us to stop using your personal information but you are waiting for us to assess your request and confirm whether we are permitted to continue using the personal information under data protection law.

If you want to object to how we use your personal information, or ask us to restrict how we use it, please contact us using the details above.

If you want us to erase your personal information

If you feel that we should no longer be using your personal information, or that we are illegally using your data, you can request that we erase the personal information we hold on you. When we receive your request, we will confirm whether the personal information has been deleted or tell you the reason why it cannot be deleted. There may be legal reasons why we need to keep your personal information.

If you want to request that we erase your personal information, please contact us using the details above.

Obtaining your personal information in a portable format

You have the right to get copies of your personal information from us in a format that can be easily re-used. You can also ask us to pass on your personal information to other organisations. To request this, please contact us using the details above.

Your right to complain

If you are not satisfied with our response or believe that we are not processing your personal information in accordance with the law, you can complain to the Information Commissioner's Office (ICO) by emailing casework@ico.org.uk or telephoning 0303 123 1113. Additional contact methods are detailed on their website: <https://ico.org.uk/global/contact-us>

Changes to this privacy notice

We regularly review our privacy notice. We will publish any updates on the Benenden website and inform applicants at the time we next communicate with them.

CONTACTING US

If you contact us

When you contact us, we will need to verify your identity for your security. Verifying identity is an important way of safeguarding against criminal activities including the prevention of illicit access to your information.

If we are unable to validate your identity, we may ask you to provide further evidence so that we can access your information.

How to contact our Data Protection Officer

If you have any questions about this privacy notice or our processing of information, if you wish to raise a complaint on how we have handled your personal information, or if you wish to exercise any of the rights set out in this privacy notice, please contact our Data Protection Officer by emailing data.protection@benenden.co.uk or writing to: Data Protection Officer, The Benenden Charitable Trust, Holgate Park Drive, York, YO26 4GG.