

PRIVACY NOTICE FOR THE ROCHDALE FUND FOR RELIEF IN SICKNESS

YOUR INFORMATION

Data Controller:

Name:	The Clerk to the Trustees of The Rochdale Fund for Relief in Sickness
Address of Charity:	The Offices of JBHS, The Old Parsonage, 2 St Mary's Gate, ROCHDALE, OL16 1AP
Email address:	law@jbhs.co.uk
Date:	8 th May 2019

What this Notice is about

This Privacy Notice tells you what information we obtain and hold about you whether you are initially applying to us for help and if you receive help from us. It explains what information we collect, why we collect it, and what we do with it, as well as who we share it with. We collect and handle personal information about our applicants to enable us to decide whether to assist with their requests for financial help. This includes dealing with applications for assistance, checking the suitability of applicants, maintaining our accounts and records, and administering the applications.

We call this information "your information". It is also referred to as "data".

Where this notice is given to more than one person it is given to each of you separately.

You should read this notice when you give us information so you are aware of how and why we are using this. Please update us if any information supplied by you changes.

Why we are giving you this notice

We are required by data protection law to give you this notice. We must be open with you about why information is collected about you and then what is done with it. We must act fairly in relation to this information. You have various legal rights relating to this information which are spelt out in more detail in this notice.

In order that we can collect or use information about you there must be a legal basis or gateway for doing so. This notice identifies the relevant gateway for the various types of information we collect and hold about you. A detailed explanation of these gateways is given in this notice.

Under data protection legislation we can only process data "as necessary" and only to the extent that it is needed. For example, we can use your bank details regarding payments and other limited purposes only. However, in certain instances, as necessary, we can share any of your data, e.g. with our own professional advisers or agents. We may also share any of your data, as necessary, with the police/law enforcement agencies or regulatory authorities.

The data we collect/hold about you

We use different ways to collect data about you including the information you supply to us when applying for an application. If you fail to provide this information we may not be able to proceed.

As necessary personal data is processed by us consisting of the following as applicable: -

- Identity and contact details
- Personal/background information including occupation/status and personal financial statements as supplied by applicants
- Bank details
- Health, disability and medical information
- Emails texts and other communications and via our website where we operate one.
- We also generate and use data internally, e.g. our own records.

We also collect and receive data about you from third parties. This may be information given to us by healthcare professionals or other professional bodies in support of your application. Public bodies such as local authorities, local health authorities may give us information about you. This can include the Department for Work and Pensions or the local authority where you are receiving Universal Credit or housing benefit. Any information which we receive in this way is set out in the Table to this privacy notice which gives you more details about information which we can receive from third parties.

Sharing data with others

We will share information we hold with others, where this is necessary. When we do this, we must comply with data protection legislation. Information can be shared with other agencies including public and government bodies (including those who administer benefits, such as the Department for Work and Pensions or the relevant health authority). We also may share information with professional advisers such as lawyers and accountants or an advice agency which involves sharing information about you with them. In some cases, we may be under a legal obligation to provide information either because of the law or because of a contractual obligating binding on us. What we share will depend on what is necessary in the circumstances and more details are given in the Table in respect of different kinds of information which we hold about you.

Search engines, websites, etc

As necessary, we obtain information about you which is publically available via search engines such as Google or Facebook and websites. This will include information about you which you yourself made public. Further details are set out in the Table. However, when doing so we make sure that we comply with applicable guidelines under data protection legislation.

Special categories of data/sensitive personal data

To determine whether we are able to help with your application we will hold and process information about your health or any disability. This data is given special protection under data protection law. As you have given this information to us you are deemed to have consented to our holding this information.

Why we collect data and the legal basis for processing your personal data

We must tell you why we collect and hold information about you.

We must also have a legal basis before we are allowed to collect or process your personal data. Processing personal data includes recording, storing, altering, using, sharing or deleting data. We only need one of these “gateways” and for our purposes they are –
You consent. By completing our application form and submitting your data to us you are deemed to have consented to us holding your information.

Compliance by us with a statutory or other legal obligation.

Where we are pursuing our own legitimate interests or those of a third party. This will not apply if our interests are overridden by your interests or your fundamental rights and freedoms. We must carry out a balancing exercise therefore to decide whether we can rely on this gateway to ensure that it applies. In each case we have done this and we do not consider your interests, rights or freedoms outweigh our own or those of the third party concerned.

This notice identifies the relevant gateway applicable in each case. In some cases, we will rely on more than one gateway depending on the particular purpose for which we are using your data.

Additionally, any data must be processed by us fairly and openly.

Why we process your data

The various purposes for which it may be necessary for us to process various categories of your information include:

- In our legitimate interests for deciding on the suitability of an applicant to receive financial assistance from the fund
- In our legitimate interests to fulfill the charities’ stated aims
- In our legitimate interests for processing complaints
- In our legitimate interests for the storage of emails, records of calls and other communications
- In accordance with our legal obligations if you exercise your rights under data protection law
- To perform our legal obligations for compliance with legal and regulatory requirements
- In our legitimate interests for the establishment and defence of legal rights
- In our legitimate interests for prevention, detection and investigation of crime and anti social behaviour

We may change the purposes where this is compatible for the purpose for which we obtained the data originally. We may process your information without your knowledge where this is required or permitted by law.

More information about what we do with data and why, along with the relevant legal gateway is given in the Table. This also tells you who we share data with and receive it from.

Retaining Communications

We may monitor, record and retain your calls, emails, text messages, social media messages and other communications. This is in our legitimate interests to maintain an accurate record of these. This may be necessary to deal with your application for assistance. We need these records for our ongoing dealings with you, including our data protection obligations.

Storage and security of data

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those trustees, agents, and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality. All our information is stored securely electronically on servers or devices. Certain information is also retained on a secure basis in hard copy format.

Telephone calls

To protect our legitimate interests telephone conversations may be recorded electronically for monitoring and to ensure that we have a record of what is said. You or others may leave messages when calling.

Your rights

Where we hold personal data about you, you are the data subject. Data protection legislation gives you a number of rights. To exercise any of these rights you should contact us. You can do so by email at the address given above or you can telephone us on the number given above. You can also write to us at our address given at the top of this notice.

In particular you have a right to object to the processing of your information where we are processing this in our own legitimate interests or those of someone else. This applies if you feel that this impacts on your own interests or your fundamental rights or freedoms.

These rights are as follows –

- Access – you have the right to make a request to be told what personal data we hold about you. This is a right to obtain confirmation that data has been processed and to have access to your personal data and the right to information details which should be provided with the privacy notice.
- Correction/Rectification – if you consider any data we hold about you is inaccurate you can tell us so that where appropriate this can be corrected. Where a mistake is made in data processing then you can ask to have it rectified. Any third parties who have received the data from us should then be told of the rectification and you should be informed by us of any such third parties.
- Erasure – you have a right to ask us in certain circumstances to erase any data we hold about you (the so called right to be forgotten). Individuals can request the right to have personal data erased to prevent processing in specific circumstances, i.e. it is no longer necessary, consent has been withdrawn, there is an objection and where applicable your rights etc., override the legitimate interests to continue our processing, or data has been unlawfully processed.
- You can object to our processing of data – this allows you to object to our processing of data about you. We must then stop processing data unless we can establish legitimate reason for continuing. In particular this applies where we are relying on our own legitimate interests or those of a third party to process data but it can also apply in other situations.
- Restricting processing – you can ask us to suspend processing of your personal data and we must then restrict processing of data. This includes where you are contesting the accuracy of a statement or the lawfulness of the processing.
- Data portability – this allows individuals to reuse their personal data for their own purposes across different services allowing them to move, copy or transfer personal data more easily.

Withdrawal of consent

Where your consent provides us with the legal gateway to process data about you you can withdraw this at any time by telling us by email or post using the telephone/addresses given above.

Complaints

We operate our own internal complaints policy and if you have any concerns about the way in which we collect or handle data please contact us.

Additionally, you have the right to lodge a complaint with the Supervisory Authority who is –

Information Commissioner
Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

www.ico.org.uk

TABLE

Introduction

About this Table

As necessary, we collect, use and otherwise process different categories of information (data) about you relying on the various legal gateways available to us. This relates to your application for assistance. This part of this notice gives you a general description of these processing activities for the different categories of information and the purposes for which we process your information. If you consider that we have not given sufficient details of what we do then you can make an access request for more information.

Background

Data protection law requires us to give you information about our processing activities as concisely as possible. To do so we have split information about you into different categories, which is in line with requirements in the legislation. We also have to tell you the extent for which your information can be used and shared. Due to the nature of our business information falling into one category will be combined with information in other categories to be handled by us as permitted for the stated purposes under the relevant legal gateway which we have to identify. For example, information about your identity/contact details will be combined with other categories of information to correctly identify you, e.g. when we compile our accounts or pass information about an application to a third party. However, we only do this to the extent that it is absolutely necessary in the circumstances.

Expressions used

To make this Table as concise as possible we employ a number of expressions –

- Handle information – collecting, compiling, using or storing information (data).
- Use information – when we use information this means we consult it, compile it, refer to it to make a decision, or act on it, or combine it with other data. When using it in this way we may have to alter it.
- Share data – this includes transferring data to someone else where this is necessary, or receive it from a third party.
- Collect data – this is where we receive information either from you, e.g. when you complete and sign an application form or from a third party, e.g. a supporting statement about you.
- Compile data – this is where we use information about you which we have collected to generate information about you, e.g. our administrative records.

Altering Data

We are required by data protection legislation to keep your information up to date and it is of course in our own legitimate interests to do so for us to ensure that we have accurate records. For example, we keep our record of your financial receipts up to date as they are received.

Storing Data

We keep information both electronically and in a manual filing system to maintain our records. We do this because we need to use it from time to time. Normally the legal gateway permitting us to do so which will apply will be the same as applies when we use the data. Additionally, however, there are legal obligations to retain data under data protection law, taxation legislation and housing law. We also need to do so to fulfil our obligations with you. In our own legitimate interests, we also need to retain information to deal with enquiries and for audit purposes.

Destruction of Data

We delete/destroy data once it is no longer needed. This is a requirement of data protection law. This notice tells you the period for which we normally store data.

What this Table tells you

Information is handled as necessary from time to time. As already stated, information falling under one category can be amalgamated with or added to information in another category in order to carry out the stated purposes.

Part 1 of this Table tells you, depending on the relevant category of your information, what our processing activities are and what is the legal gateway permitting processing as well as the purpose for which we carry out these processing activities.

Where the legal gateway in question is our own legitimate interests (or those of a third party) we identify the relevant legitimate interests.

Details about sharing data are set out in Part 2, whether we transfer it to someone else or receive from a third party.

Part 1 – Collecting, compiling, using and storing your information

In this Part we list out the different categories of your information, briefly explain them where needed, explain what we do with the information and why, as well as specifying the relevant legal gateway we rely on to do so.

We use the word “handle” to cover collecting, compiling, using or storing this information.

Identity and contact details

This includes name, contact details, date of birth.

We handle this information in order to contract you or other relevant parties regarding your application.

Personal and background information

This includes details of your residence, employment, family members, financial information including earnings, pensions, state benefits received, and other income.

We also hold information regarding details of relevant medical information.

This information is handled to evaluate your suitability to receive assistance from the Fund. This is done for our own legitimate interests. These are to ensure that any assistance is to deserving and genuine applicants.

Complaints

We operate a complaints procedure which may be informal. Although we will do all we can unfortunately sometimes things go wrong so complaints may arise.

Information handled concerns complaints which you may make or which may be made on your behalf. These will give rise to communications and records being compiled by us.

We handle complaints with a view to resolving these, although this might involve external intervention, e.g. by the courts.

We handle complaints for contract performance. This is also done in our own legitimate interests. These are to protect ourselves against claims and to ensure that the complaints are properly resolved.

Health/disability

Importantly, this is sensitive personal information to which additional protections apply. We may be given information about your health (whether mental or physical) or disabilities.

We need to have information about your health so that we are aware of how you may need assistance. This could also be information about health or disabilities affecting someone else which impacts on you.

We handle information about your health or disability, and the health of others depending upon the circumstances to assist us in assessing your application.

Correspondence etc

Correspondence includes all ways in which we receive communications from whatever source. This includes emails, text messages, social messaging and messages, letters and documentation. This can include photographs and other visual recordings.

We handle these communications to allow us to determine the amount of assistance you may require. This is done to allow us to fulfill our purpose as stated in our charities' aims, or in our legitimate interests. These legitimate interests are to ensure that we have the necessary information relating to these matters and for accurate record keeping.

Websites and online platforms

Information about you is available in the public domain, often put there by you. This can be accessed by appropriate searches which allow for access to the websites which hold this information.

We handle this information to assess your suitability for assistance. This is in our own legitimate interests to ensure that applicants are suitable and in need of assistance. These legitimate interests are to ensure that our aims and interests are protected.

Other

Please list out any additional information/data/categories of information or data and describe them appropriately.

Part 2 – Sharing Information

Introduction

We share your information with various persons, organisations and public authorities as necessary. This involves us either transferring your information to others or collecting it from them, depending upon the circumstances. This Part of the Table gives you details about this. It can be a two-way traffic between ourselves and others. In some instances, we may collect information about you from someone else following a request by us to them to provide this information.

Where we collect information from others (third parties) we have to tell you the source of this information, whether or not it is publically accessible, the nature of the source (i.e. whether it is publically or privately held) and the types of organisation from whom the information is obtained. Where possible we need to name the source as well but often this cannot be done. The required details appear in this Part of the Table.

Where information is received from a private person/body or a public authority, this information will not normally be publicly accessible, however in some instances it will be. Information which will be publically accessible will be information such as Council Tax bandings and information available in public registers, e.g. registers of births and other available public registers.

We share identity and contact details with all persons, organisations/authorities referred to below. This category of information is linked with the other information in every category for the purposes and under the legal gateway specified under each of the other categories of information. This is to ensure that you are correctly identified and, if need be, can be contacted.

A – Sharing of certain categories of your information

We share certain categories of your information (both transferring it to them and collecting it from them as necessary) with private persons/organisations and public authorities as necessary.

In Section B we go onto explain that, as necessary, certain private persons/organisations and public authorities can share any of your information (irrespective of its category).

Table 1 below identifies the different categories of your information and specifies the private persons/organisations/public authorities with whom these different categories of your information are shared as necessary. This Table should be read in conjunction with Table 2 (private persons/organisations) and Table 3 (public authorities). Tables 2 and 3 explain why we share your information with these persons/organisations/public authorities and the legal gateway which allows this to happen.

Depending on the category of data concerned you should also refer to that category under Part 1 above because the purposes set out for which we handle data and the legal gateway for doing so also usually apply when we share data with others.

Table 1 – Data categories and who they are shared with

Data category	With whom we share the data
Personal/background information	Charity Trustees and officials
Medical Information	Charity Trustees and officials
Universal Credit, housing benefit etc.	Benefit authority (Department for Work and Pensions or local authority), regulatory authority
Correspondence etc.	Depending upon the applicable category of information relevant correspondence etc. is shared with any of the persons/organisations/authorities listed in Section A.

Table 2 – Private persons/organisations

Categories of persons /organisations	Purpose and legal gateway
Other agencies specified by you in your application	To obtain references and verify information in application form. This is to ensure suitability for assistance in our own legitimate interests.
Contractors/tradespeople/service suppliers	Assisting in carrying out our responsibilities to fulfil your application eg contact details may be given to suppliers or tradespeople.
Web sites, portals etc.	Undertaking searches and obtaining publically available information relevant to your suitability for assistance. This is undertaken in accordance with applicable data protection law and guidance and subject to data protection principles. In connection with your application, we may receive information via any online portal involved.

Table 3 – Public Authorities

Home Office	Immigration/right to rent checks for the performance of our legal obligations
Health authorities / agencies	To verify information given to us as deemed necessary by ourselves, or to seek clarification of information to allow us to determine whether to assist you.
Benefit authority	To verify the administration of benefits such as Universal Credit (by the Department for Work and Pensions) and the housing benefit/local housing allowance by the local authority.
Educational institutions	Information may be requested from educational institutions where you are studying if it is deemed necessary to confirm information given in an application from you. This is in our own legitimate interests to protect our financial assets and our rights and to avoid fraudulent applications for assistance.

B – Private persons/organisations/public authorities with whom any information is shared

As necessary, we share all of your information (irrespective of its category) with certain private bodies/organisations/public authorities. This includes transferring your information to them and receiving it from them. These are

Category of person/organisation/public authority	Purposes and legal gateway
Professional advisers	Assistance and advice regarding the application. Where we handle your information under some other gateway and a professional adviser assists or advises this will for the same purpose and under the same legal gateway. If it is in the legitimate interests of ourselves or someone else then those interests will be the same. These are to ensure that we act appropriately and properly as well as according to the law.

Names of persons/organisations/public authorities with whom information is shared

Where we are able we have to provide you with the identity of the persons/organisations/authorities which are referred to in Tables 1, 2 and 3 above.

Email Provider	Google, Hotmail, Outlook, Apple, Yahoo
Website Provider	Rochdale Online
Accountant	Horsfield & Smith
Other Professionals and Healthcare Professionals	As required to enable us to verify and process your application