

Extra support for your health and wellbeing!

Welcome to Berkshire Healthcare Charity's privacy policy.

This privacy notice sets out details of the data that we may collect from you and how we may use that information, including what we learn about you from your visits to our website. It sets out how the Berkshire Healthcare Charity ensures any information you have shared with the Charity is protected. We respect your privacy, and we are committed to protecting your personal data. This privacy notice also tells you about your privacy rights and how the law protects you. We have a legal duty under the Data Protection Act 2018 ("DPA 2018"), the General Data Protection Regulation (Regulation EU 2016/679) as implemented into UK law (known as "the UK GDPR"), and the Privacy and Electronic Communications (EC Directive) Regulations 2003 ("the PECR") to handle your information in certain ways, and this privacy notice explains how we do so.

This privacy notice is provided in a layered format so you can click through to the specific areas set out below.

Please take your time to read this privacy notice carefully.

You may also like to see our accompanying fundraising promise on our website.

Web berkshirehealthcare.nhs.uk/our-charity/about-our-charity/

About us

In this Privacy Policy we use "the Charity" or "we" or "us" or "our" to refer to Berkshire Healthcare Charity.

Our Data Protection Officer and how to contact us

Berkshire Healthcare NHS Foundation Trust ('Berkshire Healthcare') is the data controller for the personal data we collect about you. This means we are responsible for ensuring that your personal data is used lawfully, and this Privacy Policy explains how we do so.

If you have any questions about this privacy notice, please contact the Data Protection Officer ('DPO') using the details set out below:

Postal address

Berkshire Healthcare NHS Foundation Trust

Fitzwilliam House

Skimped Hill Lane

Bracknell

Berkshire

RG12 1BQ

Web berkshirehealthcare.nhs.uk/about-us/about-us/protecting-your-data-privacy-notice/

Email information.governance@berkshire.nhs.uk

Call [0300 365 6565](tel:03003656565)

Changes to this privacy notice and your duty to inform us of changes

This privacy notice was last updated on 22 November 2021 and historical versions can be obtained by contacting us.

It is important that the personal data we hold about you is accurate and current.

Please keep us informed if your personal data changes during your relationship with us.

- If mail (postal or electronic) addressed to you is returned to us as 'moved away' (or something similar) then we may use publicly available sources, such as the Post Office's National Change of Address database, to double-check and update your details
 - While we endeavour to ensure the personal data, we hold about you is accurate and where necessary kept up to date, we shall assume that in the absence of evidence to the contrary, the information you provide us with is accurate
 - Should there be any inaccuracies in the personal data of which you inform us, or of which we become aware, it shall be promptly rectified by us
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Complaints about how we handle your information

You have the right to make a complaint at any time to the Information Commissioner's Office ("the ICO"), the UK supervisory authority for data protection matters.

Web berkshirehealthcare.nhs.uk/about-us/about-us/protecting-your-data-privacy-notice/

Call [0303 123 1113](tel:03031231113)

We would however appreciate the chance to listen to your concerns before you approach the ICO, so please contact us in the first instance.

Your feedback helps us to continue improving our services.

You can find our complaints policy, and details about how to send a complaint to us on our website.

Purpose of this privacy notice

This privacy notice explains:

- Why do we collect personal data about you?
- What personal data do we collect about you?
- How do we collect your personal data?
- What are the purposes for which your personal data is used?
- Who do we share your personal data with?
- How long will we keep your personal data for?
- What are your rights in respect of your personal data?

Why do we collect data about you?

- In general terms, we collect and process your data for the purposes of:
 - Raising awareness of the Charity
 - Raising charitable funds for the Charity
 - Managing finances and maintaining accounting records
 - Compliance with relevant regulatory bodies

What is personal data, and what personal data do we collect about you?

- Personal data is information concerning you, and from which you can be identified
 - The personal data that we collect will depend on your relationship with us
 - We do not use "sensitive personal information" (otherwise known as "special categories of personal data" under Article 9 of the UK GDPR) about you
 - If you provide personal data to us about other individuals you should inform the individual about the content of this privacy notice. We will process such data in accordance with this privacy notice
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Personal data

- The personal data we hold about you may include the following:
 - Name, address, date of birth
 - Telephone numbers, email address
 - Credit/debit card details

Special category personal data

- We will not collect or process special category personal data about you

How do we collect your personal data?

- How we collect your personal data will depend on your relationship with us but, in general terms, we will collect it from you in a number of different ways as explained further below

Directly from you

- Personal data may be collected directly from you when:
 - you submit a query to us including through our website, by email or by social media
 - you correspond with us by email, telephone or social media
 - you create an event
 - you donate to us
 - you sign up to or attend one of our events
 - you sign up to receive our newsletters and other publications

From third parties

- Personal data may also be collected from third parties when:
 - you donate to us through JustGiving
 - you fundraise for us through organisations such as the London Marathon
 - These third parties will only share your personal data with us when you have indicated that you wish to support the Berkshire Healthcare Charity and have given your consent to it being shared. You should check their privacy policies when you provide your personal data to them, in order to understand how they will use it
 - When you give permission to other organisations to share your personal data – depending on your settings or the privacy policies for social media and messaging apps like Facebook and Twitter - you might give us permission to access your personal data from those accounts or services. You may also provide permission for third-party organisations to share your personal data with us, such as lottery providers
 - We combine data from these sources with that which you provide to us directly
 - We also use this information to gain a better understanding of our supporters to improve our fundraising methods, products and services to you our donors and supporters
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The purposes for which your data is used

In general, we may process (which is the terminology used in the UK GDPR and DPA 2018 to describe using personal data in any way) your personal data for a number of different purposes. For each purpose we must have a legal ground for such processing.

Generally, we will rely on the following legal grounds:

- We have a legitimate interest to process your personal data and this interest is not overridden by your privacy rights. We will rely on this for activities such as maintaining our Charity records and developing and improving our thanking processes, products and services. More detailed information about the specific legitimate interests we pursue is set out below
- We have a legal or regulatory obligation to process your data when you donate to or fundraise for the Charity, as well as when you choose to leave the Charity a legacy gift
- It is in the public interest, in line with any laws that apply
- You have provided your consent to us using your personal data for marketing purposes, with particular reference to receiving newsletters, information on fundraising opportunities and products, and other correspondence via post, email, social media. Ordinarily we will only ask you for consent to use your personal data if there is no other legal ground enabling us to use process it. You have the right to withdraw your consent at any time, although this will not affect the validity of any use of your personal data based on your consent prior to it having been withdrawn. Further, as we only rely on your consent in relation to marketing purposes then if you do withdraw that consent then we will cease sending your marketing materials but may still continue using your personal data for other legitimate purposes, such as maintaining your registration on our systems or retaining a record of your donations for regulatory purposes

Purpose 1

To set you up as a Charity supporter on our systems as a donor, fundraiser, legator, supporting Trust or Foundation, supporting Corporate organisation, supporting School, College, other business, or other supporter.

Legal grounds:

Legitimate Interest - Article 6 (1) (f) of the UK GDPR

- We need to register you with the Charity in order to maintain a basic record of who you are.

Purpose 2

To provide you with administrative correspondence relevant to any donation, gift in kind, fundraising activity, you have gifted or participated in, or legacy you have bequeathed, for the Charity, but not direct marketing (which is dealt with separately below).

Legitimate Interest - Article 6 (1) (f) of the UK GDPR

- We need to provide you with details about your financial interactions with the Charity, include administrative details and information.
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Purpose 3

To directly market fundraising campaigns, appeals, events and similar, in relation to the Charity. Where we have your consent, we will contact you to let you know about the progress we are making and to tell you about fundraising opportunities, to send you newsletter updates, and occasional specific appeals for both financial and other support.

- We will always ask you to tell us how you want us to communicate, in a way which suits you
- If you have fundraised for us via Just Giving (or similar fundraising sites) we will comply with what you have stated on the website in terms of whether you want the Charity to continue to maintain contact with you or not
- We will ask you clear marketing preference questions and include information on how to opt out when we send you marketing
- If you do not want to hear from us, then we understand

Contact us

Email Charity@berkshire.nhs.uk

Call [07890 606088](tel:07890606088)

- If we run an event in partnership with another named organisation, then your details may need to be shared. We will be very clear what will happen to your data when you register for such an event

Legal grounds:

Consent - Article 6 (1)(a) of the GDPR

- The data subject has given permission for the organisation to process their personal data for one or more processing activities

Use of Electronic Mail for Direct Marketing Purposes – Regulation 22 (3)(a), (b) and (c) of the PECR

- A person may send or instigate the sending of electronic mail for the purposes of direct marketing where:
 - That person has obtained the contact details of the recipient of that electronic mail in the course of the sale or negotiations for the sale of a product or service (including fundraising products and services) to that recipient
 - The direct marketing is in respect of that person's similar products and services only
 - The recipient has been given a simple means of refusing (free of charge except for any costs of the transmission of the refusal) the use of his/her/their contact details for the purposes of such direct marketing, at the time that the details were initially collected, and, where he/she/they did not initially refuse the use of the details, at the time of each subsequent communication

Purpose 4

Information analysis. We may analyse your personal information to create a profile of your interests and preference so that we can contact you with information relevant to you.

For example:

- If you have an interest in golf, we may note this and send you information about golf events
- If you register for any of our running events, we will note this and send you information about the event the following year
- We may make use of additional information about you, including geo-demographic information and measures of affluence, when it is available from external sources to help us do this effectively. This helps us understand the background of the people who support us and helps us to make appropriate requests to supporters who may be able and willing to give more than they already do
- We may also use your personal information to detect and reduce fraud and credit risk
- We will not bombard you with communications

Legal grounds:

Consent - Article 6 (1) (a) of the GDPR

- We will rely on your consent in order to send you any marketing communications which reflect the profiling of your particular interests

Legitimate Interest - Article 6 (1) (f) of the GDPR

- We rely on this to carry out the profiling of your particular interests, but not for any marketing we send you for which we will rely on your consent.

Purpose 5

To process financial data in relation to any donation, fundraising activity, or legacy you have bequeathed, for the Charity.

Legal grounds:

Legitimate Interest - Article 6 (1) (f) of the GDPR

- The Charity has a legitimate interest in maintaining records relating to donations and other fundraising activities and will rely upon that in order to use your personal data for such purposes.

Legal Obligation - Article 6 (1) (c) of the GDPR

- The Charity is also required to keep certain records in order to ensure regulatory compliance, in particular to comply with the requirements of the Fundraising Commissioner. In such circumstances, we are obliged to retain your personal data as a record of what we have done.
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Purpose 6

Communicating with you to solve any queries or complaints that you might have.

Legal grounds:

Legitimate Interest - Article 6 (1) (f) of the GDPR

- It is in the Charity's legitimate interests to ensure that we deal properly with all complaints and resolve them satisfactorily. We cannot do so without accessing and using your personal data, both to investigate the matters complained of but also to liaise with you about it

Purpose 7

Complying with our legal or regulatory obligations relevant to the Charity, such as reporting to the Fundraising Regulator and Charity Commission.

Legal grounds:

Legitimate Interest - Article 6 (1) (f) of the GDPR

- We are required to fulfil a number of necessary reporting requirements to relevant regulatory bodies such as the Fundraising Regulator and Charity Commission, and in so doing may need to use your personal data

Legal Obligation - Article 6 (1) (c) of the GDPR

- The processing activity is necessary for a legal obligation

Purpose 8

Managing our Charity operations such as maintaining accounting records, analysis of financial results, internal audit requirements, receiving professional advice (for example, tax or legal advice).

Legal grounds:

Legitimate Interest - Article 6 (1) (f) of the GDPR

- As a registered charity, we will need to carry out a number of broad business activities and functions such as financial analysis, internal audit, receiving professional advice and maintaining accounting records. In so doing, we may need to use your personal data although we will only do so where relevant and necessary

Legal Obligation - Article 6 (1) (c) of the GDPR

- In certain circumstances we may be legally obliged to use your personal in a particular way, such as complying with HMRC obligations
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Purpose 9

Management of the Charity Webpages. If you do nothing other than read pages or download information while using the Trust website, we will capture and store information about your visit.

As the information is anonymised then it does not amount to your personal data, and as such we do not strictly need a legal ground under the UK GDPR to use it.

However, we wanted to outline this purpose to you to ensure full transparency.

- We will not be able to identify you from this; it relates to (a) the Internet domain and IP address from which you access the website (b) the type of browser and operating system you use (c) the date and time of your visit, (d) the pages you visit, and (e) the address of the website from which you linked to us (if applicable)
- We collect this anonymous information to make each visit more rewarding and to provide us with information to help improve our service

Purpose 10

Sharing or receiving your information. We do not usually share your data with other organisations, but we may receive it from them.

- If you have fundraised for the Charity via Just Giving (or similar fundraising sites) then JustGiving (or similar fundraising sites) will share your data with us in order to give effect to your fundraising activity. We will then comply with what you have stated on the JustGiving (or similar fundraising sites) website in terms of whether you want the Charity to continue to maintain contact with you or not
- If we run an event in partnership with another named organisation, then your details may need to be shared. We will be very clear what will happen to your data when you register for such an event

Legal grounds:

Consent - Article 6 (1) (a) of the GDPR

- This will be the ground relied upon in order to send you any marketing communications

Legitimate Interest - Article 6 (1) (f) of the GDPR

- This is a processing activity that a data subject would normally expect an organisation that it gives its personal data to do, such as responding to queries or complaints, and fraud prevention

Purpose 11

Keeping your information. We will only keep your personal information for as long as reasonably necessary to fulfil the relevant purposes set out in this privacy notice and to comply with our legal and regulatory obligations, and in reliance on the relevant legal ground which applies to the purpose in question.

- Where your charitable records are stored electronically Berkshire Healthcare Charity has ensured that the storage facilities are secure and in line with Information Security principles (ISO27001) within the United Kingdom or EEA
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Patient data

For the avoidance of doubt Berkshire Healthcare Charity does not have access to patient data processed by Berkshire Healthcare NHS Foundation Trust.

- The Trust may contact 'past patients' on our behalf, asking if they would like to hear from our Charity. At no point does the Charity see any patient data
- The Charity will only contact patients directly if they have consented from a Trust mailing or have made contact in some way directly to the Charity, or via third parties such as JustGiving. Funds are not diverted from patient care for this

Other websites

Our website contains links to other websites belonging to third parties, such as JustGiving, for which we have no responsibility.

- We do not control the privacy practices of these other sites
- You should make sure when you leave our site that you have read that site's privacy policy

Emails

Emails are not always secure so please do bear this in mind when you get in touch.

- The information in emails is usually intended only for the person or entity to which it is addressed
- An email may contain proprietary, business-confidential and/or privileged material

If you are not the intended recipient of an email message, and you have received it in error, please contact the sender and delete the material.

Opting out of Berkshire Healthcare Charity communications

If you have consented to receiving communications from the Charity and you subsequently change your mind and no longer or do not wish to receive future communications from Berkshire Healthcare Charity, please contact us at:

Berkshire Healthcare Charity
Fitzwilliam House
Skimped Hill Lane
Bracknell
RG12 1BQ

Email Charity@berkshire.nhs.uk

Call [07890 606088](tel:07890606088)

Please be aware that under the list of Purposes as detailed in this document, there may be some instances where your personal data will continue to be held and used for a reasonable period of time under the Legal Terms of:

Legitimate Interest - Article 6 (1) (f) of the GDPR

- This is a processing activity that a data subject would normally expect an organisation that it gives its personal data to do, like financial analysis, internal audit, responding to queries or complaints, receiving professional advice and maintaining accounting records

Legal Obligation - Article 6 (1) (c) of the GDPR

- The processing activity is necessary for a legal obligation
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Cookies and similar technologies

- Cookies are small text files which store information about online behaviour to better customise the user experience during repeat visits. This usually includes a form submitted by the user to the site, so that when they next visit, the cookie will automatically serve up their personal details, saving the user time by not having to complete their details again
- Like most websites, we use 'cookies' to help make our site and the way we use it better
- We collect this information so we can see what type of device and operating system you're using to access our website. This helps us optimise our website for the most frequently used devices
- For more information about how we use our cookies, please read our cookie policy

International Transfers

We do not transfer your personal data outside the EEA.

Data Security

- 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 employees, agents, contractors 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
- We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so

Data retention

- We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you
 - To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements
 - By law, we have to keep basic information about our website users, for six years after you cease being a user
 - In some circumstances you can ask us to delete your data: see your rights below for further information
 - In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for ongoing use, in which case we may use this information indefinitely without further notice to you
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Your rights

Under certain circumstances, you have rights under data protection law in relation to your personal data. These are:

- To be informed why, where and how we use your personal data – this is detailed in this privacy notice statement
To ask for access to your personal data – You can request a copy of the personal data we hold about you by contacting us. The personal data we hold will be assessed and may have information provided by third parties or about third parties removed before it is given to you. The Berkshire Healthcare Subject Access Request policy is available by contacting the Data Protection Officer ('DPO')
- To ask for your personal data to be deleted (also known as the right to be erased) or removed where there is no need for us to continue processing it. In some circumstances, we must delete your personal data if you ask us to do so but in many other circumstances where we have a valid legal reason to retain your personal data we do not have to comply with your request
- We may need to retain personal data for regulatory purposes, and we also do not have to comply with any request to erase personal data if we need to retain it in case you bring a legal claim against us
- To ask us to restrict the use of your personal data. In some circumstances, we must "pause" our use of your personal data if you ask us to. However, we do not have to comply with all requests to restrict our use of your personal data. For example, we do not have to comply if we need to use your personal data to defend a legal claim against us
- To ask us to copy or transfer your personal data from one IT system to another in a safe and secure way, without impacting the quality of the data. In some circumstances, we must transfer personal data that you have provided to us to you or, if this is technically feasible, another individual or organisation of your choice. The data must be transferred in an electronic format
- To object to how your personal data is used. – Where your data is used for research or statistical purposes you can object to it being processed for this purpose. Please make requests in writing to the Data Protection Officer or to the Berkshire Healthcare service you have used advising what changes you would like us to make
- To challenge any decisions made on the basis of processing your personal data without human intervention (automated decision making). The Charity does not engage in automated decision making
- To withdraw consent where Berkshire Healthcare has relied on this as a condition for processing

If you wish to exercise any of the rights set out above, please contact us

Postal address:

Berkshire Healthcare NHS Foundation Trust

Fitzwilliam House

Skimped Hill Lane

Bracknell

Berkshire

RG12 1BQ

Call [0300 365 6565](tel:03003656565)

Email: information.governance@berkshire.nhs.uk

Fee

- You will not usually have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances

What we may need from you

- We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights) can be validly exercised. This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response

Time limit to respond

- We are obliged by law to respond to all legitimate requests within one month unless your request is particularly complex, or you have made a number of requests. In this case, we can take an extra two months to respond to the request and consider charging a fee. If this is the case, we will notify you and keep you updated
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