

SHERWOOD FOREST HOSPITALS CHARITY PRIVACY POLICY

		POLICY	
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	x		
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Sponsor (Position)	Director of Corporate Affairs		
Author (Position & Name)	Community Involvement Manager		
Lead Division/ Directorate	Corporate		
Lead Specialty/ Service/ Department	Community Involvement Department		
Position of Person able to provide Further Guidance/Information	Information Governance Manager and Data Protection Officer		
Associated Documents/ Information		Date Associated Documents/ Information was reviewed	
n/a			

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1.0 INTRODUCTION

This policy explains how we (Sherwood Forest Hospitals Charity) collect, use and store your personal data. Sherwood Forest Hospitals Charity (“we” and “us”) promises to respect any personal data you share with us, or that we get from other organisations, and keep it safe. We aim to be clear when we collect your data and not do anything you wouldn’t reasonably expect.

In carrying out our day-to-day activities we are required by law to adhere to, amongst other things, the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. We take our responsibilities under the Regulation very seriously and we aim to ensure the personal information we obtain is held, used, transferred and otherwise processed in accordance with the law.

2.0 POLICY STATEMENT

The Trust is committed to meeting its legal obligations and NHS requirements concerning data protection and confidentiality. These obligations arise from the Data Protection Act 2018, UK General Data Protection Regulation 2018, Human Rights Act 1998, the Common Law Duty of Confidentiality, Caldicott Principles and the Confidentiality: NHS Code of Practice. This commitment is expressed in a number of the Trust’s Information Governance policies, approved by the Trust Board.

The data controller is Sherwood Forest Hospitals Charity, a registered charity in England and Wales (1054086). Our registered office address is King’s Mill Hospital, Mansfield Road, Sutton in Ashfield, Notts, NG17 4JL.

The www.sfh-tr.nhs.uk website is operated by Sherwood Forest Hospitals.
The Head of Data Security & Privacy is Jacquie Widdowson.
sfh-information.governance@nhs.net

3.0 DEFINITIONS/ ABBREVIATIONS

3.1 Sherwood Forest Hospitals Charity is a NHS charity, registration number 1054086, responsible for all the charitable funds of Sherwood Forest Hospitals Trust.

3.2 Charitable Funds Committee is the forum within the Trust charged to consider, direct and resolve issues arising from charitable donations to or activities with the Trust, from the range of associated donor organisations.

3.3 GDPR (General Data Protection Regulation) The Data Protection Act 2018 is the UK’s implementation of the General Data Protection Regulation (GDPR). Everyone responsible for using personal data has to follow strict rules called ‘data protection principles’. They must make sure the information is: used fairly, lawfully and transparently.

4.0 ROLES AND RESPONSIBILITIES

This policy applies to all staff undertaking work on behalf of the Sherwood Forest Hospitals Charity.

5.0 APPROVAL

The policy will be monitored by the Director of Corporate Affairs and reviewed annually by the Charitable Funds Committee with guidance from the Information Governance Department.

6.0 DOCUMENT REQUIREMENTS

6.1 How do we collect information?

6.1.1 When you provide it to us directly.

You may provide personal information by electronic means (email and website), by letter, by phone, or in person. Examples include when you call Sherwood Forest Hospitals Charity regarding our activities, register online to participate in a fundraising event, or make a donation at the Community Involvement Offices.

We only collect the minimum amount of information required and use it for the purpose(s) for which you have consented. You may choose not to provide us with personal information, although this may affect our ability to provide you with the required service or your ability to participate in the activity in question.

6.1.2 When you provide it to us indirectly.

We may receive information about you from third parties – but only if you've given them permission to share your information with us. Examples include your information being shared with us by independent event organisers, for example the London Marathon or sites like Just Giving. These independent third parties will only do so when you have indicated that you wish to support Sherwood Forest Hospitals Charity and with your consent. You should check their Privacy Policy when you provide your information to understand fully how they will process your data.

6.1.3 From third party organisations

We may also receive data which you have agreed to share with charities, or that you have submitted to receive another service and you have agreed for the information be shared with others. Examples of this include using the Royal Mail National Change of Address Update service, where you request your mail to be redirected and for organisations who contact you to be updated with your new address details.

6.1.4 When you have made your information available publicly.

This may include information found in places such as the electoral register, information published in articles/newspapers, on charity or company websites, or on public social media accounts.

6.1.5 When we collect it as you use our website or apps.

Like most websites, we use cookies to help us make our site – and the way you use it – better. A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added, and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

Our cookies contain no data specific to an individual, so that your privacy remains protected. They contain neither your email address, nor do they tell us who you are. Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the website. We use web visitor analytics (e.g. Google Analytics) to understand how people use our website so we can make it more effective. Web analytics tools collect anonymous information about what people do on our website, where they've come from, and whether they've completed any tasks on the site, for example, signing up to volunteer or donating. Analytics tools track this information using cookies which are text files placed on your computer. The information generated by the cookie about your use of the website (including your IP address) will be transmitted to and stored by internet companies on servers that may be outside the EU. This information is used for the purpose of evaluating your use of the website and compiling reports on website activity. If you do not want cookies to be stored on your PC it is possible to disable this function without affecting your navigation around the site although some of the functionality of our website may be affected.

We also use data from Interest-based advertising or 3rd-party audience data (such as age, gender, and interests) with our web analytics.

6.2 What personal information we collect?

The type and quantity of information we process and how we use it depends on why you are providing it to us. Examples include making a donation, submitting an enquiry, or making a complaint.

Information we collect may include:

- Your name.
- Your contact information including address, email address, telephone numbers.
- Your date of birth.
- Your bank account or debit/credit card details, for making donations or purchases.
- Other pertinent information which you have freely provided to us in conversations or correspondence.

Where appropriate we may also collect?

- Information relating to your health, for example if you are taking part in a high-risk event.
- Why you have decided to donate to us, if you are comfortable telling us this.

6.3 Special Category Data

Certain types of personal information are in a special category under data protection laws, as they are more sensitive. Examples of this type of sensitive data would be information about health, race, religious beliefs, political views, trade union membership, sex life or sexuality or genetic/biometric information.

We only collect this type of information about our supporters when there is a clear reason for us to do so, for example asking for health information if you are taking part in an event. We may also collect this type of information if you make it public or volunteer it to us – for instance if you tell us your medical history as part of a conversation about your experiences with Sherwood Forest Hospitals NHS Foundation Trust.

We do not process special category data on a large or organised scale, for example in the scenario above, we may use this special category data to inform our relationship or conversations with you, but we will never use it for marketing purposes either on an individual or mass basis.

6.4 Supporters under the age of 18 years?

When you register with us, you are stating that you are over 18 years of age or are a minor acting with parental consent so please ensure you have consent of your parent or responsible guardian.

6.5 How will we use your personal data?

We will only ever use your personal information for the purpose(s) originally intended, those which you agree to, or those which you would reasonably expect us to. Below are some examples of how we may use your personal information: -

- To provide you with the services, products or information you have requested.
- To process any donation(s) we may receive from you.
To ensure we know how you prefer to be contacted. To provide you with information about our work or our activities, including asking you to help us raise money or donate money to our charity, but always in accordance with how you have agreed to be contacted.
- To invite you to participate in surveys or research.
- To publicise your story and experiences of Sherwood Forest Hospitals NHS Foundation Trust to raise awareness of our work. This will only happen after discussions with you, and with your express consent. We keep you updated about when and where we use your story.
- For administration purposes e.g. we may contact you about a donation you have made or event you have expressed an interest in or registered for.
- For internal record keeping, such as the management of feedback or complaints.
- To analyse and improve the services we offer.
- The use of IP addresses to block disruptive use, to record website traffic or to personalise the way our information is presented to you to identify your approximate location.
- Where it is required or authorised by law.
- For the purposes of credit risk reduction or fraud prevention (regrettably some people target charities for illegal purposes such as money laundering and, quite rightly, we are

required to monitor financial activity and report suspected fraud to the appropriate authorities).

- We may use profiling and screening techniques to ensure communications are relevant and timely, and to provide an improved experience for our supporters. Profiling also allows us to target our resources effectively, which supporters tell a charity is a key priority for them. We do this because it allows us to understand the background of the people who support us and help us to make appropriate requests to supporters who may be able and willing to give more than they already do. Importantly, it enables us to raise more funds, sooner, and more cost-effectively, than we otherwise would. When building a profile we may analyse geographic, demographic and other information relating to you in order to better understand your interests and preferences in order to contact you with the most relevant communications. In doing this, we may use additional information from third party sources when it is available, as detailed earlier in this Policy.

6.6 The legal basis for processing your information.

Data protection laws mean that we must have a legal basis to process personal information. The relevant legal bases set out under the GDPR, are listed below, where we also detail examples of our activities which we process under each basis.

6.7 Specific Consent

Consent is where we ask you if we can use your information in a certain way, and you agree to this. For example, any time we send you marketing via electronic means – that is SMS or e-mail – we will only do so when we have clear and unambiguous consent from you. You have the right to withdraw consent for any future use of your information for these purposes at any time.

6.8 Legal Obligation

We have a basis to use your personal information where we need to do so to comply with a legal or regulatory obligation. For example, in some cases we may need to share your information with a regulator such as the Charities Commission, HMRC, Information Commissioner or Fundraising Regulator. Performance of a contract or taking steps at your request to prepare for entry into a contract.

6.9 Vital Interests

We have a legal basis to use your personal information where it is necessary for us to protect life or health; these are examples of your vital interest. For instance, if there were to be an emergency impacting individuals at one of our events which required us to contact people unexpectedly or share their information with emergency services.

6.10 Legitimate interest

We have a basis to use your personal information if it is reasonably necessary for us (or others) to do so, this means it's in our or their legitimate interests – provided that the reason your information is used for is fair and does not unduly impact your rights.

We consider our legitimate interests to include all of the day-to-day activities Sherwood Forest Hospitals Charity carries out with personal information. Some examples of where we rely on legitimate interests are:

- Analysis and profiling of our supporters using personal information we already hold.

- Updating your address using third party sources if you have moved house (please see the “How do we collect information?” section above for details of this).
- Use of personal information when we are monitoring use of our website or apps for technical purposes.
- Use of personal information to administer, review and keep an internal record of the people we work with, including supporters, volunteers and researchers.
- Sharing of personal information between relevant teams within Sherwood Forest Hospitals Charity.
- Where you have signed up with us on a charity place for a third-party event, for example a sponsored run not organised by us, we may share personal information with the third party event organiser so they can effectively administer the event.

When using legitimate interests, we assess any potential impact on you, whether it is intrusive from a privacy perspective and whether it is aligned your rights under data protection laws.

When we process sensitive personal information, known as Special Category data, (please see the “What personal information we collect” section above), we require an additional legal basis to do so under data protection laws, so will either do so on the basis of your explicit consent or another route available to us at law for using this type of information (for example if you have made the information manifestly public or have freely provided this information to us). We do not process Special Category data on a large or organised scale.

6.11 How we protect your personal information?

We take appropriate physical, electronic and managerial measures to ensure that we keep your information secure, accurate and up to date, and that we only keep it as long as is reasonable and necessary.

We undertake regular reviews of who has access to information that we hold to ensure that your information is only accessible by appropriately trained staff, volunteers and contractors.

Our website may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website in question.

6.12 Will we disclose the information we have collected to outside parties?

Sherwood Forest Hospitals Charity does not rent, swap or sell personal details to any third party.

Some of the systems operated by Sherwood Forest Hospitals Charity are provided by third party service providers including fully hosted IT solutions, for example direct debit payment processing, at remote sites and accessed via the internet.

In addition, we may use external companies to assist with fundraising activities such as newsletter production & mailing house services, supporter recruitment and management, lottery and data analytics.

Where these services are provided personal information may be released to the third-party organisation under an agreed contract, which will stipulate how data is to be transferred, secured and destroyed and the purpose for which it may be used.

Sherwood Forest Hospitals Charity remains responsible for the data and ensuring that it is processed in accordance with GDPR. We take all reasonable steps to ensure any third-party processing data on our behalf adheres to our data protection principals highlighted in this policy by undertaking a due diligence review of the data protection policies of the proposed data processor to ensure as far as reasonably practicable the safety, security and availability of data. Some of our suppliers may run their operations outside the European Economic Area (EEA). Although they may not be subject to same data protection laws as companies based in the UK, we will take steps to make sure they provide an adequate level of protection in accordance with UK and EU law. By submitting your personal information to us you agree to this transfer, storing or processing at a location outside the EEA.

We may need to disclose your details if required to the police, regulatory bodies or legal advisors.

We will only ever share your data in other circumstances if we have your explicit and informed consent.

6.13 How long will we retain your data?

We refer to the NHS England Records Management Code of Practice [NHSE Records Management CoP 2023](#) and consider various criteria when determining the appropriate retention period for personal data including:

- the purposes for which we process your personal data and how long we need to keep the data to achieve these purposes.
- how long personal data is likely to remain accurate and up to date or how long the personal data might be relevant to possible future legal claims.
- any applicable legal, accounting, reporting or regulatory requirements which specify how long certain records must be kept.

6.14 Raffles/Lotteries

Raffles and lotteries have to be registered under the Gambling Act 2005. This Act defines all lotteries, which do not constitute gaming, as illegal but there are exceptions to this general rule such as small lotteries and private lotteries which do not require registration. The charity is registered with Ashfield District Council for small society lotteries. These are lotteries promoted for the raising of funds for sporting, charitable or benevolent purposes and allow tickets to be sold to the general public over a period of time.

Personal data such as contact telephone numbers and email addresses provided on purchase of raffle tickets will not be retained.

6.15 Your rights?

You have a right to ask us to stop processing your personal data, and if it's not necessary for the purpose you provided it to us for (e.g. processing your donation or registering you for an event) we will do so. You have the right to request a copy of the personal information relating to you which is held by Sherwood Forest Hospitals Charity.

You also have the right to request all data held by us to be deleted. There may be some circumstances where this is not possible, for example if we need to keep the data to comply with a legal obligation.

To do this, please contact The Charity Team in writing either by email sfh-tr.charity@nhs.net or post to:- Community Involvement Department, King's Mill Hospital, Mansfield Road, Sutton in Ashfield, Notts, NG17 4JL. We will reply within 28 days of receipt of your request. It will help us to locate your records more easily if you can tell us something about the nature of your contact with Sherwood Forest Hospitals Charity.

6.16 How to update my information or change how we contact you?

We will always comply with our legal obligations when contacting our supporters. This means that for written communications, and communications over the phone, we will always give you the option to opt out of hearing from us. We will endeavour to only send timely communications, which are relevant to how you support or interact with us and will make it easy for you to opt out at any time.

For electronic communications (email and SMS) we will only send marketing communications to those that have explicitly stated that they are happy for us to do. Our marketing communications include information about our latest campaigns and lifesaving work.

If you currently receive communications from us and no longer wish to, please contact our Community Involvement Team by phone 01623 676011 or by email sfh-tr.charity@nhs.net

6.17 Updating your details.

If you want to update the information we hold about you, please get in touch with our Community Involvement Team as soon as possible. Please contact us by phone 01623 676011 or by email sfh-tr.charity@nhs.net or write to us at: Community Involvement Department, King's Mill Hospital, Mansfield Road, Sutton in Ashfield, Notts, NG17 4JL

6.18 Complaints

If you are unhappy with any aspect of how we are using your personal information we'd like to hear about it. We appreciate the opportunity this feedback gives us to learn and improve. You can find out more and read the Trust complaints policy on our web pages [Make a Complaint - Sherwood Forest Hospitals \(sfh-tr.nhs.uk\)](https://www.sfh-tr.nhs.uk/Make-a-Complaint)

You also have the right to lodge a complaint about any use of your information with the Information Commissioners Office, the UK data protection regulator [Information Commissioner's Office \(ICO\)](https://ico.org.uk/)

6.19 Notification of change of privacy policy

We will regularly review this privacy statement and our up-to-date policy will be posted on our website. You are advised to check periodically in order to keep up to date with any changes.

7.0 MONITORING COMPLIANCE AND EFFECTIVENESS

Minimum Requirement to be Monitored (WHAT – element of compliance or effectiveness within the document will be monitored)	Responsible Individual (WHO – is going to monitor this element)	Process for Monitoring e.g. Audit (HOW – will this element be monitored (method used))	Frequency of Monitoring (WHEN – will this element be monitored (frequency/ how often))	Responsible Individual or Committee/ Group for Review of Results (WHERE – Which individual/ committee or group will this be reported to, in what format (e.g., verbal, formal report etc) and by who)
Confidentiality audits	Information asset owners within Community Involvement Department and Financial Services	Audit	Annually	Charitable Funds Committee Information Governance Committee
Confidentiality breaches	Information Governance	Review of Datix incidents	Monthly	Charitable Funds Committee/ Information Governance Committee
Adherence to IG policies and procedures	Internal auditors	Audit	Annually	Charitable Funds Committee/ Information Governance Committee

8.0 TRAINING AND IMPLEMENTATION

Annual data security awareness level 1 (formally known as Information Governance) training is mandatory for all new starters as part of the induction process. In addition, all existing staff must undertake data security awareness level 1 training on an annual basis. Staff can undertake this either face-to-face²⁸ or online. Provision is available online (or face to face for staff who do not have routine access to personal data) and includes Data Protection and confidentiality issues.

Data security awareness level 1 session meets the statutory and mandatory training requirements and learning outcomes for Information Governance in the UK Core Skills Training Framework (UK CSTF) as updated in May 2018 to include General Data Protection Regulations (GDPR). Our Senior Information Risk Owner, Information Asset Owners and Information Asset Administrators must attend regular information risk awareness training which is available from the Information Governance team.

9.0 IMPACT ASSESSMENTS

- This document has been subject to an Equality Impact Assessment, see completed form at Appendix 1
- This document is not subject to an Environmental Impact Assessment

10.0 EVIDENCE BASE (Relevant Legislation/ National Guidance) AND RELATED SFHFT DOCUMENTS

Evidence Base:

- Data Protection Act 2018 [Data protection: The Data Protection Act - GOV.UK \(www.gov.uk\)](https://www.gov.uk/data-protection-the-data-protection-act)
- Confidentiality: NHS Code of Practice [Confidentiality: NHS Code of Practice - GOV.UK \(www.gov.uk\)](https://www.gov.uk/confidentiality-nhs-code-of-practice)
- Gambling Act 2005 [Gambling Act 2005 \(legislation.gov.uk\)](https://legislation.gov.uk/ukpga/2005/19)
- Fundraising Regulator Code of Fundraising Practice [Code of Fundraising Practice | Fundraising Regulator](https://www.fundraisingregulator.org.uk/code-of-practice)
- Information Commissioners Office [Information Commissioner's Office \(ICO\)](https://ico.org.uk/)

Related SFHFT Documents:

- Sherwood Forest Hospitals NHS Foundation Trust – How to make a complaint [Make a Complaint - Sherwood Forest Hospitals \(sfh-tr.nhs.uk\)](https://www.sfh-tr.nhs.uk/make-a-complaint)

11.0 KEYWORDS

- Charity, privacy, GDPR, personal information, confidentiality, data, protection, legal, regulation.

12.0 APPENDICES

Equality Impact Assessment Form (EQIA)

APPENDIX 1 – EQUALITY IMPACT ASSESSMENT FORM (EQIA)

Name of service/policy/procedure being reviewed: Sherwood Forest Hospitals Charity Privacy Policy			
New of existing service/policy/procedure: New			
Date of assessment: 30 August 2023			
For the service/policy/procedure and its implementation answer the questions a-c below against each characteristic (if relevant consider breaking the policy or implementation down into areas)			
Protected Characteristic	a) Using data and supporting information; what issues, needs or barriers could the protected characteristic groups' experience? For example, are there any known health inequality or access issues to consider?	b) What is already in place in the policy or its implementation to address any inequalities or barriers to access including under representation at clinics, screening?	c) Please state any barriers that still need to be addressed and any proposed actions to eliminate inequality
The area of policy or its implementation being assessed:			
Race and Ethnicity	None	n/a	None
Gender	None	n/a	None
Age	None	n/a	None
Religion / Belief	None	n/a	None
Disability	Visual accessibility of this policy	Already in Arial font size 12. Use of technology by end user. This policy can be made available in alternative formats, such as easy read or large print and may be available in alternative languages upon request	None
Sexuality	None	n/a	None
Pregnancy and Maternity	None	n/a	None
Gender Reassignment	None	n/a	None
Marriage and Civil Partnership	None	n/a	None
Socio-Economic Factors (i.e., living in a poorer neighbourhood / social deprivation)	None	n/a	None

What consultation with protected characteristic groups including patient groups have you carried out? • None
What data or information did you use in support of this EQIA? • Trust guidance for completion of the Equality Impact Assessments
As far as you are aware, are there any Human Rights issues to be taken into account arising from surveys, questionnaires, comments, concerns, complaints or compliments? • No
Level of impact From the information provided above and following EQIA guidance document – Guidance on how to complete an EIA please indicate the perceived level of impact: Low level of impact.
Name of responsible person undertaking this assessment: Jo Thornley
Signature: Jo Thornley
Date: 30 August 2023