

Plymouth Hospitals Charity Privacy Policy

Issue Date	Review Date	Version
July 2018	December 2018	1

Purpose

This document outlines the privacy policy for Plymouth Hospitals Charity and how personal information shared with the charity will be obtained, stored, protected, safeguarded and used. This policy outlines both the rights of the donor and the expectations for the charity in regards to personal privacy.

Who should read this document?

All charity personnel, the Charitable Funds Committee and members of the Corporate Trustee and Fund Advisors.

Key Messages

Data protection and safeguarding of the personal information of supporters of Plymouth Hospitals Charity is an integral part of the charity's framework. All data handling must be in accordance with strict protocols as laid out in the Data Protection Act 1998 and subsequent Data Protection Act 2018.the Data Protection Act 2018

Core accountabilities

Owner	Charity Development Manager
Review	Plymouth Hospitals Charitable Funds Committee
Ratification	Corporate Trustee
Dissemination	Charity Development Manager
Compliance	Charity Development Manager

Links to other policies and procedures

University Hospitals Plymouth NHS Trust Data Protection Policy

Version History

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The Trust is committed to creating a fully inclusive and accessible service. Making equality and diversity an integral part of the business will enable us to enhance the services we deliver and better meet the needs of patients and staff. We will treat people with dignity and respect, promote equality and diversity and eliminate all forms of discrimination, regardless of (but not limited to) age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage/civil partnership and pregnancy/maternity.

An electronic version of this document is available on Trust Documents on StaffNET. Larger text, Braille and Audio versions can be made available upon request.

Contents

Section	Description	Page
1	Introduction	
2	Purpose, including legal or regulatory background	
3	Definitions	
4	Duties	
5	Main Body of Policy	
6	Overall Responsibility for the Document	
7	Consultation and Ratification	
8	Dissemination and Implementation	
9	Monitoring Compliance and Effectiveness	
10	References and Associated Documentation	
Appendix 1	Dissemination Plan and Review Checklist	
Appendix 2	Equality Impact Assessment	

1 Introduction

Plymouth Hospitals Charity (PHC), registered charity number 1048679, is committed to ensuring that the personal privacy of donors and supporters is protected. In order to build trust between the charity and its supporters, PHC must ensure that all personal identifiable information is safeguarded and that how the charity uses this information is transparent and adheres to data protection legislation.

To endorse its commitment to this policy, the Trust employs a Charity Development Manager with a specific duty to ensure the principles and protocols set out in this statement are followed.

This policy is a guide for charity staff, trustees, corporate trustees and volunteers to follow to ensure PHC handles and safeguards the personal information of its supporters.

2 Purpose

The purpose of this policy is to inform and guide charity staff, trustees, the corporate trustee, volunteers and fund advisors as to the principals of data protection and how PHC handles private personal information.

If a donor/fundraiser provides certain information by which they can be identified, personal data will only be used in accordance with the charity's privacy policy and with the Data Protection Act 1998 and subsequent Data Protection Act 2018. New General Data Protection Regulations (May 2018) have informed this policy which is effective from 25th May 2018.

3 Definitions

Acronyms used in his policy:

PHC- Plymouth Hospitals Charity

SSL- Secure Sockets Layer

PCI - Payment card industry

UHPNT- University Hospitals Plymouth NHS Trust

CRM- Customer Relationship Management

PECR- Privacy and Electronic Communications Regulations

GDPR- General Data Protection Regulation

EEA - European Economic Area

Key legislation and regulation:

Data Protection Act (1998)

New General Data Protection Regulations (May 2018)

4 Duties

PHC and its staff are committed to ensuring that all personal information is secure and, in order to prevent unauthorised access or disclosure, have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information collected by the charity.

PHC stores all personal data on a secure Customer Relationship Database on a server on the UHPNT premises which can only be accessed by charity staff. Staff will follow a set of detailed data protection procedures when handling personal data. Personal information will only be used by PHC staff for the purpose, or purposes, it was collected for or else for closely related purposes. For example, PHC would like to be able to stay in touch with donors to inform them of how their charitable donations are spent and the difference this can make for patients.

PHC will store a donor's name, contact details and their relationship to the charity (e.g. what you raised money for). Donors can contact PHC and unsubscribe at any point. Donors can decide not to receive communications or change the way in which they are contacted at any time. If you wish to do so please contact the Charity Team by emailing phcharityteam@nhs.net or by writing to Plymouth Hospitals Charity, Derriford Hospital (opposite Pharmacy), Plymouth, PL6 8DH, or by telephoning 01752 430332.

PHC will not sell or lease personal information to third parties. Staff will not share personal information with a third party for their own purposes unless required by law to do so. Some information, such as names and details of donations, may be shared with UHPNT in order to ensure that donations are used according to donor wishes or if publicity has been agreed with the donor. Donors may request details of personal information which PHC hold about them under the Data Protection Legislation.

PHC will provide an 'opt-in' option for donors and respect their wishes if they do not wish their information to be used for marketing purposes. There may be occasions where PHC staff have to contact donors, for example in relation to payments or forthcoming events which they have signed up for. Donors will be given the option to choose their preferred method of communication and what information they would like to receive. Donors will be able to decide not to receive communications or change how PHC contacts them at any time. PHC staff will always be respectful of and honour the privacy wishes of donors.

PHC staff work to ensure that personal privacy is treated with respect at all times, in compliance with the Data Protection Act 1998, the subsequent Data Protection Act of 2018 and the EU General Data Protection Regulation.

5 Main Body of Policy

5.1 Collecting Personal Information

PHC may collect the following information:

- Full name and title
- Gender
- Contact information including address and post code. This can also include place of work.
- Phone numbers and email addresses
- Bank account details
- Date of birth
- Information relating to donor health
- Emergency contact details

PHC require this information for the following reasons:

- Internal record keeping
- To thank donors for their donations, volunteering, or other support
- To respond to donors / fundraisers who have made an enquiry and send any information which has been requested
- To update donors about PHC via the charity newsletter
- To send letters or emails about fundraising events which the donors have expressed an interest in
- To share names and details of donations with UHPNT in order to ensure donations are used according to donor wishes or if publicity has been requested. Donors can inform PHC if they would prefer for personal details to remain anonymous and we will always respect donor wishes
- To improve our charity services
- To analyse the data held to determine how successful a fundraising event was or to identify a possible trend in donations and support

Information from third parties

PHC may collect information about certain supporters (e.g. well known or influential people) from public sources. This could include public databases (such as Companies House), news or other media.

Just Giving / Virgin Money Giving

If a donor uses an online giving platform to sponsor a fundraiser / set up a fundraising page / make a donation they can indicate if they would like to receive communications from PHC. In this instance these third parties may pass on donor contact information to PHC. Donors should check the Privacy Statements of sites, such as Just Giving, before sharing personal information.

Sensitive personal data

PHC will not typically collect or store sensitive personal data (such as information relating to health, beliefs or political affiliation) about supporters unless they wish it to be recorded. However there are some situations where this will occur (e.g. for volunteers or if there is an accident on our premises). If this does occur, extra care will be taken to ensure the privacy rights of those involved are protected.

Accidents or incidents

If an accident or incident occurs on PHC property, at an event or involving one of our staff (including volunteers) then PHC will keep a record of this (which may include personal data and sensitive personal data).

5.2 How PHC uses personal information

PHC stores all personal data on a secure Customer Relationship Database on a server on the UHPNT premises which can only be accessed by charity staff. There are a set of detailed data protection procedures, in the form of CRM protocols, which personnel are required to follow when handling personal data.

PHC store personal details in this way so that any request for information can be met quickly and efficiently.

Personal information will only be used by PHC staff for the purpose, or purposes, it was collected for or else for closely related purposes. For example, PHC would like to be able to stay in touch with donors to inform them of how their charitable donations are spent and the difference this can make for patients.

For more information on the duration for which personal data is stored please see section 5.3 below

How can we process personal data lawfully?

GDPR doesn't stop charities campaigning, fundraising, or providing services to beneficiaries. It just means that when a charity does so it has to do it fairly and lawfully, being transparent and respecting individuals' privacy rights. Charities can process personal data (e.g. send marketing materials, contact service users, store employee records), but it has to be done according to a 'valid lawful basis' that GDPR sets out. There are six available bases for processing: (a) Consent: you can show that an individual has performed a clear affirmative action (such as saying "yes" to a question or ticking an opt-in box) to allow you to process their personal data for a specific purpose. (b) Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract. (c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations). (d) Vital interests: the processing is necessary to protect someone's life. (e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law. (f) Legitimate interests: The processing is necessary for your legitimate interests or the legitimate interests of a third party unless the interests or rights and freedoms of the individual override those interests.

In the event of a security or confidentiality breach occurring, the Trust Incident Management Standard Operating Procedure will be followed.

Marketing

PHC will use personal data for personal communications, to promote PHC and to help with fundraising. PHC asks its supporters to "opt-in" for most communications and donors can decide to not receive communications or change their preferred method of contact at any time.

Marketing may include information about:

- The charity, campaigns and fundraising work
- The impact donations have across the Trust
- Volunteering opportunities
- Appeals and fundraising (including donations, raffles etc.)
- Events and activities
- Leaving a legacy

When a donor receives a communication, PHC may collect information about how they respond to or interact with that communication, and this may affect how PHC communicate with them in the future.

Newsletters and magazines

Newsletters are provided as a benefit to supporters and are sent to all PHC supporters who have opted in to marketing communications. Donors can choose to unsubscribe from general marketing communications without that affecting fundraising activity.

Fundraising

As a charity, PHC rely on donations and support from others to go above and beyond what the NHS alone can provide. Therefore, PHC will occasionally contact supporters with fundraising material and communications. As with other marketing communications, donors will only be contacted about fundraising if they have opted into receiving marketing information.

Administration

PHC will use personal data for administrative purposes (i.e. to carry on our charity work). This includes:

- Receiving donations (e.g. standing orders or gift-aid instructions)
- Maintaining databases of our volunteers
- Respecting donor choices and preferences

Internal research and analysis

PHC will carry out research and analysis of supporters, donors and volunteers, to determine the success of campaigns and appeals, better understand behavior and responses and identify patterns and trends. This helps inform approaches to campaigning and make PHC a stronger and more effective charity. Understanding supporters, their interests and what they care about also helps to provide a better donor experience (e.g. through more relevant communications).

PHC profile supporters in terms of financial and practical support in order to understand donors. PHC track the amount, frequency and value of each person's support. This information helps to ensure communications are relevant and timely. PHC also collects information on preferences and interests (e.g. which ward area / unit donors may have an affiliation to) to inform relevant communications.

Disclosing and Sharing Data

PHC will never sell personal data. PHC may share the names of donors and details of their donation with UHPNT in order to ensure donations are used according to donor wishes or if publicity has been requested. Donors can notify PHC if they would prefer for their details to remain anonymous.

PHC may aggregate and anonymise personal data so that it can no longer be linked to any particular person. This information can be used for a variety of purposes, such as recruiting new supporters, or to identify trends or patterns within our existing supporter base. This information helps inform PHC actions and improve campaigns, products/services and materials.

Young People

PHC take great care to protect and respect the rights of individuals in relation to their personal data, especially in the case of children.

There are opportunities for young people to share their fundraising photos, stories and pictures. If PHC publish a child's picture, photo or story, this will usually include their first name and age. If they write an article or story, PHC may also include their surname in

publications. Parental permission - If a child is under 18 then permission from their parent or guardian is needed in order for the donor to share a picture, photo or story with PHC. Under GDPR children over 13 can make their own decisions, however, the charity will ask for parental consent for any children under the age of 18. If a child is under 18, PHC will only use his or her personal data with parental consent. Donors who are under 18 will receive no direct communication from PHC. Donors under 18 are unable to donate the money personally so will have to do so with the aid of a parent/ guardian.

5.3 Data Protection

CCTV

Some of UHPNT premises have CCTV and donors may be recorded when they visit them. CCTV is there to help provide security and to protect both donors and the Trust. CCTV will only be viewed when necessary (e.g. to detect or prevent crime) and footage is only stored temporarily. Unless it is flagged for review CCTV will be recorded over. UHPNT complies with the Information Commissioner's Office CCTV Code of Practice, and PHC will put up notices to advise when CCTV is in use. For more information see the Trust's [CCTV Privacy Notice](#).

Storage

Where we store information

PHC operations are based in the UK and store data within the European Union. Some organisations which provide services to PHC may transfer personal data outside of the EEA (European Economic Area), but will only allow them to do so if personal data is adequately protected.

For example, some systems use Microsoft products. As a US company, it may be that using their products result in personal data being transferred to or accessible from the US. However, we are certain personal data will still be adequately protected (as Microsoft is certified under the USA's Privacy Shield scheme).

Where your data is held

Your personal data is held on secure servers operated by University Hospitals Plymouth Trust and agencies contracted by us. We do not transfer your data outside the EEA and we comply with the protection offered to you under the Data Protection Act 2018. We are committed to ensuring that your information is secure. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect online.

Duration

PHC will only use and store information for so long as it is required for the purposes it was collected for. How long information will be stored depends on the information in question and what it is being used for. PHC will continually review what information will be retained or deleted. PHC will never store payment card information.

PHC will archive data for two years if no interaction has taken place during that time frame. Donors will be contacted every 2 years to check that their details are still correct and that they are happy to stay on the database. If no contact can be made then their non-financial records will be erased or anonymised.

Payment security

If a donor uses a credit card to donate, the cashiers will pass their credit card details securely to our payment provider, Barclaycard. Plymouth Hospitals Charity and UHPT complies with the payment card industry data security standard (Payment card industry data security standard) published by the PCI Security Standards Council, and will never store card details. UHPT and Plymouth Hospitals Charity cannot guarantee the security of people's personal computers or individual use of the internet, and any online communications are at the user's own risk.

5.4 Personal Rights

PHC wants to ensure donors remain in control of their personal data. Part of this is making sure they understand their legal rights, which are as follows:

- The right to confirmation as to whether or not PHC has their personal data and, if this is the case, to obtain a copy of the personal information held (this is known as subject access request under the Data Protection Act 1998)
- The right to have personal data erased (though this will not apply where it is necessary for PHC to continue to use the data for a lawful reason)
- The right to have inaccurate data rectified
- The right to object to personal data being used for marketing or profiling
- Where technically feasible, donors have the right to submit a Freedom of Information Request in order to view the personal data they have provided to PHC which is processed automatically on the basis of donor consent or the performance of a contract. This information will be provided in a common electronic format.

There are exceptions to the rights above and, though PHC will always try to respond to donor satisfaction, there may be situations where this is not possible.

5.5 Complaints

Donors can make a complaint by contacting PHC's Data Protection officer. If donors wish to make a complaint (including a complaint about fundraising activity) which does not directly relate to their data protection and privacy rights, they can do so in accordance with PHC's individual Complaints Procedure which could then be escalated under the Trusts standard operating procedure if required.

If a donor is unhappy with the response from PHC, or believe that their data protection or privacy rights have been infringed, they can complain to the UK Information Commissioner's Office which regulates and enforces data protection law in the UK. Details of how to do this can be found at www.ico.org.uk

5.6 Cookies and Links to other sites

Cookies

The PHC website uses local storage (such as cookies) to provide donors with the best possible experience and to allow them to make use of certain functionality (such as being able to shop online). Further information can be found in the Trust's Privacy Statement.

Links to other sites

The PHC website may contain hyperlinks to many other websites. PHC are not responsible for the content or functionality of any of those external websites. If an external website requests personal information (e.g. in connection with an order for goods or services), the information provided will not be covered by the PHC's Privacy Policy. PHC recommends donors read the privacy policy of any website before providing any personal information

Changes to this policy

PHC will review this Privacy Policy every five years and make non-significant amendments from time to time to ensure it remains up-to-date and accurately reflects how and why personal data is used. The current version of our Privacy Policy will always be posted on our website.

6 Overall Responsibility for the Document

The Charity Development Manager is responsible for developing the privacy policy in collaboration with the Information Governance department. The Charitable Funds Committee will put forward the Document for approval to The Corporate Trustee who is then responsible for ratifying the policy.

7 Consultation and Ratification

The design and process of review and revision of this policy will comply with The Development and Management of Formal Documents.

The review period for this document is set as default of five years from the date it was last ratified, or earlier if developments within or external to the Charity indicate the need for a significant revision to the procedures described.

This document will be reviewed by the Charitable Funds committee and ratified by the Corporate Trustee.

Non-significant amendments to this document may be made, under delegated authority from the corporate trustee, by the nominated owner. These must be ratified by the Corporate Trustee.

Significant reviews and revisions to this document will include a consultation with the information governance department. For non-significant amendments, informal consultation will be restricted to named groups, or grades that are directly affected by the proposed changes.

8 Dissemination and Implementation

Following approval and ratification, this policy will be published in the Trust's formal documents library and all staff will be notified through the Trust's normal notification process, currently the 'Vital Signs' electronic newsletter.

Document control arrangements will be in accordance with The Development and Management of Formal Documents.

The document owner will be responsible for agreeing the training requirements associated with the newly ratified document with the corporate trustee and for working with the Trust's training function, if required, to arrange for the required training to be delivered.

9 Monitoring Compliance and Effectiveness

9.1 What will be monitored?

PHC will monitor:

- That personal data collected by the Charity adheres to Data Protection legislation and is in line with the standards set out in this policy.
- Incidents and complaints.
- Spot checks on processing activity
- That the Charity is working according to the guidance provided by The Charity Commission, The Information Commissioner's Office and the Fundraising Regulator.

9.2 Who will perform the monitoring?

The Charity Development Manager (CDM) is responsible for monitoring compliance to this policy.

The System Manager will ensure all staff using the CRM will be trained and understand the importance of the data and the permission to store. They will also run spot checks on recent inputs monthly.

The database will comply with the new GDPR regulations. The charity will produce protocol documents explaining the data collection and data input practice. The charity will also produce a privacy statement which will be uploaded onto its webpage

9.3 When will the monitoring be performed?

PHC will monitor compliance with this policy twice yearly.

9.4 What will happen if any shortfalls are identified?

If any shortfalls are identified then PHC will attempt to resolve them. If this is not possible then PHC will raise a risk with associated action plan. PHC acknowledges that there may always be a residual risk.

9.5 Where will the results of the monitoring be reported?

Monitoring will be reported to the Charitable Funds Committee.

9.6 How will the resulting action plan be progressed and monitored?

Action plans will be stored locally or if relating to a risk, placed on Datix.

9.7 How will learning take place?

PHC will conduct reviews of any action plan to facilitate learning. Additionally, PHC will also commit to user testing with donors.

PHC will also ensure that it continues to review best practice based on information collected by charity networks, publications and industry standards.

10 | References and Associated Documentation

References:

- Charities Act 2011.
- General Data Protection Regulation. Approved by the EU Parliament, 14th April 2016. Enforcement date 25th May 2018.
- Privacy and Electronic Communications (EC Directive) Regulations. Made 18 September 2003, Came into force 11 December 2003.
- Fundraising Regulator
- Institute of Fundraising
- Data Protection Act. First printed 1998. Reprinted incorporating corrections 2005
- Data Protection Act 2018

Dissemination Plan			
Document Title	Plymouth Hospitals Charity Privacy Policy		
Date Finalised			
Previous Documents			
Action to retrieve old copies			
Dissemination Plan			
Recipient(s)	When	How	Responsibility
All Trust staff		Vital Signs	Information Governance Team

Review Checklist		
Title	Is the title clear and unambiguous?	
	Is it clear whether the document is a policy, procedure, protocol, framework, APN or SOP?	
	Does the style & format comply?	
Rationale	Are reasons for development of the document stated?	
Development Process	Is the method described in brief?	
	Are people involved in the development identified?	
	Has a reasonable attempt has been made to ensure relevant expertise has been used?	
	Is there evidence of consultation with stakeholders and users?	
Content	Is the objective of the document clear?	
	Is the target population clear and unambiguous?	
	Are the intended outcomes described?	
	Are the statements clear and unambiguous?	
Evidence Base	Is the type of evidence to support the document identified explicitly?	
	Are key references cited and in full?	
	Are supporting documents referenced?	
Approval	Does the document identify which committee/group will review it?	
	If appropriate have the joint Human Resources/staff side committee (or equivalent) approved the document?	
	Does the document identify which Executive Director will ratify it?	
Dissemination & Implementation	Is there an outline/plan to identify how this will be done?	
	Does the plan include the necessary training/support to ensure compliance?	
Document Control	Does the document identify where it will be held?	
	Have archiving arrangements for superseded documents been addressed?	
Monitoring Compliance & Effectiveness	Are there measurable standards or KPIs to support the monitoring of compliance with and effectiveness of the document?	
	Is there a plan to review or audit compliance with the document?	
Review Date	Is the review date identified?	
	Is the frequency of review identified? If so is it acceptable?	
Overall Responsibility	Is it clear who will be responsible for co-ordinating the dissemination, implementation and review of the document?	

Core Information	
Date	
Title	Plymouth Hospitals Charity Privacy Policy
What are the aims, objectives & projected outcomes?	The purpose of this policy is to inform and guide charity staff, trustees, corporate trustees and volunteers as to the principals of data protection and how PHC handles private personal information.
Scope of the assessment	
Collecting data	
Race	There is no data collected to show the impact in this area; this kind of privileged information can only be transparently disclosed and would only be used to monitor the inclusiveness of PHC's communications.
Religion	There is no data collected to show the impact in this area; this kind of privileged information can only be transparently disclosed and would only be used to monitor the inclusiveness of PHC's communications.
Disability	There is no data collected to show the impact in this area; this kind of privileged information can only be transparently disclosed and would only be used to monitor the inclusiveness of PHC's communications.
Sex	There is no data collected to show the impact in this area; this kind of privileged information can only be transparently disclosed and would only be used to monitor the inclusiveness of PHC's communications.
Gender Identity	As in section 5.1. If PHC decided to undertake further analysis all data would be collected would only be analysed and reported on anonymously.
Sexual Orientation	There is no data collected to show the impact in this area; this kind of privileged information can only be transparently disclosed and would only be used to monitor the inclusiveness of PHC's communications.
Age	As in section 5.1. If PHC decided to undertake further analysis all data would be collected would only be analysed and reported on anonymously.
Socio-Economic	There is no data collected to show the impact in this area; as all donations received are treated individually this kind of analysis would not be undertaken by PHC.
Human Rights	There is no data collected to show the impact in this area; this kind of privileged information can only be transparently disclosed and would only be used to monitor the inclusiveness of PHC's communications.
What are the overall trends/patterns in the above data?	Due to GDPR, PHC is not allowed to collect additional personal information which is not directly provided by the supporter. PHC does not and cannot legally collect the above data for the purpose of profiling and/or analysis.
Specific issues and data gaps that may need to be addressed through consultation or further research	N/A

Involving and consulting stakeholders				
Internal involvement and consultation	The Charitable Funds Committee, Fund Advisors and Corporate Trustee			
External involvement and consultation				
Impact Assessment				
Overall assessment and analysis of the evidence	<p>The procedures in place for data protection encourage the correct practice of obtaining, storing, protecting, safeguarding and using personal information.</p> <p>Due to GDPR, PHC is not allowed to collect additional personal information which is not directly provided by the supporter. PHC does not and cannot legally collect the above data for the purpose of profiling and/or analysis.</p>			
Action Plan				
Action	Owner	Risks	Completion Date	Progress update