

**CancerCare**

**Privacy Notice**

## Contents

Who we are.....	3
Your Data Protection rights .....	3
You have a right of access .....	4
You have the right to ask us to correct inaccurate personal information .....	4
You can ask for certain information about you to be deleted.....	4
You have the right to data portability .....	4
You have the right to ask us not to process your personal data.....	5
Lawful basis for processing.....	5
How we collect information about you .....	6
What information we collect and how we use it .....	6
On the website generally .....	7
Job Applicants and current and former CancerCare employees .....	7
Marketing .....	7
Will CancerCare share my personal information with anyone else? .....	8
How we protect your personal information .....	8
How long will CancerCare keep my personal information?.....	9
Job Applicants and current and former CancerCare employees .....	9
Consent from Parents/Guardians if you're under 13.....	9
Complaints:.....	9
Changes to CancerCare's Privacy Notice .....	9

## **CANCERCARE PRIVACY NOTICE**

Review date June 25

## Purpose

At CancerCare we are committed to protecting your privacy and protecting any personal information we obtain about you. Whether you are just visiting our website, play the Lottery or are a client, donor or when you interact with us by phone, we sometimes receive personal information about you. This Privacy Notice sets out how we obtain, use and store your personal information.

Please read this notice carefully to understand how we collect, use and store your personal information.

Whenever you provide such information, we are legally obliged to use your information in line with all laws concerning the protection of personal information, including the Data Protection Act 2018 well as the UK General Data Protection Regulation (UK GDPR).

For the purpose of the Data Protection requirements CancerCare is a registered Data Controller with the Information Commissioners Office, registration no Z518017X and any data collected will be used and held in accordance with the requirements of the Data Protection Act 2018 and UK GDPR.

## Who we are

CancerCare North Lancashire and South Cumbria is a registered charity (charity number 1120048). CancerCare's registered address is CancerCare, Slynedales, Slyne Road, Lancaster, LA2 6ST. CancerCare is a Company Limited by Guarantee and its Company No is 6241210.

## Contacting us

If you want to request further information about this privacy notice or exercise any of your rights, please contact the Data Protection Officer at CancerCare:

David Haworth  
Data Protection Officer  
CancerCare North Lancashire & South Cumbria  
Slynedales,  
Slyne Road,  
Lancaster,  
LA2 6ST

Or email [data.protection@cancercare.org.uk](mailto:data.protection@cancercare.org.uk)

Or call us on 01524 381820

## Your Data Protection rights

You have certain rights in relation to your personal information, although those rights will not apply in all cases or to all the information that we hold about you. For example, we may need to continue to hold and process information to establish, exercise or defend our legal rights. You can find more information about your privacy rights on the Information Commissioner's Office website [www.ico.org.uk](http://www.ico.org.uk).

## You have the right to be informed

You have the right to be informed about how and why we process your personal data.. We will try to be as transparent as possible in our interactions with you. Any time you give us personal information you have a right to be informed about why we need it and how we will use it. You can find most of the information you need in this Privacy Notice.

## You have a right of access

You have a right of access to any of your personal data that we hold about you. You can contact us at any time to gain information about what data we hold about you and why we hold it.

If you make a formal request, we will respond to acknowledge your request and will first require you to prove your identity. We may also ask you for information about any specific information you are seeking to help us make sure we meet your request fully and speed up the process.

If you agree, we will try to deal with your request informally, for example by providing you with the specific information you need over the telephone.

We will provide you the information that you are entitled to as soon as possible and without unreasonable delay and at the latest within one month of your identity been verified by us.

In exceptional cases we may extend the period of compliance by a further two months if the request(s) are complex or numerous. If this is the case, we will inform you within one month of the receipt of the request and explain why the extension is necessary.

There is no charge made for this right of this access by CancerCare.

To make a request to CancerCare for any personal information we may hold we would ask that you contact our Data Protection Officer, see contact details above.

## You have the right to ask us to correct inaccurate personal information

If you believe information we hold about you to be inaccurate or incomplete, you can ask us to correct it or complete it at any time e.g. the spelling of your name or your contact information.

## You have the right to object and restrict the processing of your personal information

You also have the right to ask for our processing of your personal data to be restricted. For example, if you are contesting the accuracy of data we are using about you. In such case we will restrict our processing while we verify the accuracy of the data that we hold.

You also have the right to object to the processing of your personal information in certain circumstances.

## You can ask for certain information about you to be deleted

You can also ask for certain information about you to be deleted, for example, if you are moving out of the area.

In certain cases, we will be unable to delete all your information if there are statutory grounds that require us to retain it (i.e. HMRC or other legal requirements).

## You have the right to data portability

The right to data portability allows you to obtain and reuse your personal data for your own purposes across different services.

The right to data portability only applies:

- to personal data that you have provided to a controller;
- where the processing is based on your consent or for the performance of a contract; and
- when processing is carried out by automated means.

## You have the right to ask us not to process your personal data

It is always your decision as to whether you want to receive information about our valuable work, how we raise funds and the ways you can get involved. If you do not want us to use your personal information in these ways please contact us.

You may opt out of any of our marketing at any time by clicking the 'unsubscribe' link at the end of our marketing communications.

You can also change any of your contact preferences at any time by calling 01524 381820 or email us at [fundraising@cancercare.org.uk](mailto:fundraising@cancercare.org.uk)

## Lawful basis for processing

We must have a lawful basis for processing your information; this will vary on the circumstances of why we process and how we use your information, but typical examples include:

- the activities are within our legitimate interests as a charity that provides support and care,
- the processing is necessary for compliance with certain legal obligations to which we are subject e.g. we must provide certain contact information and other details about our services to HMRC and the Charities Commission,
- the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law,
- the processing is necessary for a contract we have with the individual, or because they have asked us or you to take specific steps before entering into a contract,
- you have given consent for us to process the information,
- to protect vital interests e.g. the processing is necessary to protect someone's life.

If we process any special categories of information i.e. information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, processing of genetic or biometric data for the purpose of uniquely identifying individuals, health data, or data concerning your sex life or sexual orientation, we must have a further lawful basis for the processing.

Where we are required to collect special category data about you (see below) we will use the following lawful bases of the UK GDPR which permits us to process special category data:

- Article 9(2)(a) – where you give us explicit consent to process your data.
- Article 9(2)(b) – processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law.

- Article 9(2)(c) – to protect your vital interests or those of another person where you are incapable of giving your consent.
- Article 9(2)(h) – processing is necessary for the purposes of preventive or occupational medicine, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards referred to in paragraph 3.
- Article 9(2)(f) – where the processing is for the purposes of establishing, exercising or defending legal claims or by courts when they are acting in their judicial capacity.

Article 10 of the GDPR covers processing in relation to criminal convictions and offences or related security measures. In addition, section 11(2) of the DPA 2018 specifically confirms that this includes personal data relating to the alleged commission of offences or proceedings for an offence committed or alleged to have been committed, including sentencing. This is collectively referred to as 'criminal offence data'.

We process criminal offence data under Article 10 of the GDPR, and for the following purposes in parts 1 and 2 of schedule 1: paragraph 1 – employment, social security and social protection.

Paragraph 6(2)(a) – statutory requirements, etc. Examples of our processing of criminal offence data include pre-employment checks and declarations by an employee in line with contractual obligations.

## How we collect information about you

We may collect information about you whenever you interact with us. For example, if you are a client, register for one of our events, sign up to our newsletter, donate to us, apply for a job or volunteering opportunity, or otherwise give us any other personal information. We may also collect information about you from other organisations if you have given permission to share or it is available publicly.

## What information we collect and how we use it

When you interact with us, we may collect, names, addresses, email addresses, telephone numbers, IP address, bank account details, dates of birth (for setting up regular Direct Debit Payments) and relevant medical information. Unless you are a client, we do not usually collect sensitive personal data about you e.g. health information unless there is a clear reason for doing so such as a fundraising event where we need this information to ensure that we provide appropriate facilities or support to enable you to participate in an event. Clear notices will be provided on registration/application forms for such events, so it is clear what information is needed and why we need it.

CancerCare will use your personal information for a number of reasons including the following:

- In relation to any correspondence you have entered into with us whether by letter, email, social media or another means
- Dealing with your enquiries, requests and complaints
- Process a donation you have made
- For 'service administration purposes', which means CancerCare may contact you for reasons related to a donation you have made or the activity or online content you have signed up for
- For internal record keeping
- Fundraising
- Complying with our legal obligation policies and procedures

- Process a job application
- To provide you with any information regarding our events or activities or online content
- Data screening and cleansing

We may collect some or all of the information above when you visit our website, depending on how you use it. We monitor how people use our website so we can improve it. However, you can use our website anonymously without giving us information and we don't know who you are. If you visit our site anonymously we may still record information about:

- The areas of the website you visit
- The amount of time you spend on the site
- Whether you are new to the site, or have visited before
- How you came to our site, for example via a search engine or through an email link

We do this by using Cookies.

Cookies are small text files on your device. They are made by your web browser when you visit a website. Every time you go back to that website, your browser will send the cookie file back to the website's server. They improve your experience of using a website for example, by remembering your preference setting and by measuring your use of a website to ensure that it meets your need. You can find more information about Cookies at [www.allaboutcookies.org](http://www.allaboutcookies.org)

### Disabling Cookies

You can manually delete old cookies and stop cookies from being saved to your hard drive in the future. Find out more on the all about cookies website.

### On the website generally

We use Google Analytics to understand how people use our website so we can make it more effective. Google Analytics collects anonymous information about what people do on our website, where they came from, and whether they have completed any tasks on the site, for example signing up to volunteer or to donate. Google Analytics tracks this information using cookies and Java Script Code.

### Job Applicants and current and former CancerCare employees

If you apply to work at CancerCare we will only use the information you give us to process your application. If we want to disclose information to someone outside the organisation for example, if we need to obtain a reference or we need to complete a Disclosure to the Disclosure & Barring Service, we are required to do so by the law.

### Marketing

Being able to communicate with you is important as your support will help local families impacted by cancer. And we believe in being open, honest and transparent with our supporters and want you to feel comfortable about your decision to give us your personal information and how we use it.

We will use the details you provide to us to communicate with you about how we are supporting local families affected by cancer across North Lancashire and South Cumbria and the work of our services. We would also like to tell you how your support is helping and other ways you can help in the future whether that's through volunteering, events or fundraising.

We promise that we will only communicate with you in the way you wish us to and we will always respect your privacy. You can change your mind at any time and it's quick and easy to let us know that you no longer want to hear from us by calling us on 01524 381820 or email

us at [fundraising@cancercare.org.uk](mailto:fundraising@cancercare.org.uk). We will always respond to your wishes in a sensitive, timely, courteous and professional way.

Please be assured that we will take appropriate measures to keep your personal information safe and secure and we promise not to over contact you. We will never pass your personal information on to other organisations for them to use for their own marketing purposes.

In certain instances, we collect and use your personal information by relying on the legitimate interest legal basis. This is because when you, for example, request to receive services or products from us, we have a legitimate organisational interest to use your personal information to respond to you and there is no overriding prejudice to you by using your personal information for this purpose. However, we will always provide you with the option to opt-out of hearing from us.

## Will CancerCare share my personal information with anyone else?

We will only share personal information within CancerCare for the purposes for which it was obtained. We will not sell your information to any other organisation and we will keep your information confidential, except where disclosure is required or permitted by the law (for example to Government agencies for tax purposes or law enforcement agencies for the prevention and detection of crime, subject to such bodies providing us with a relevant request in writing). We may use an external data agency using approved public data sources to check that the contact details we have are up to date. In exceptional circumstances where we think someone is at serious risk of being harmed. We will do everything we can to ensure they meet our required Privacy Standards. We may also be required to liaise with the police or a local authority safeguarding team.

We may need to share your information with other partner organisations who assist us to administer certain services, for example sending our marketing material or administering our lottery.

We sometimes use a questionnaire called MYCaW® in our client data collection. Meaningful Measures Ltd operates the licence for MYCaW® and collects anonymised and non-identifiable data to create a database of anonymised concerns/symptoms/activities. This data collection helps organisations understand people's needs. Your MYCaW® data will be fully anonymised and sent securely ONLY to Meaningful Measures Ltd, for more information see the website: [www.meaningfulmeasures.co.uk](http://www.meaningfulmeasures.co.uk).

All our data processors have a binding contract with us that restricts their access to and handling of your personal data to only what is necessary in performance of their contract.

## How we protect your personal information

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

Although we use appropriate security measures once we have received your personal information, the transmission of information over the internet is never completely secure. We do our best to protect personal information, but we cannot guarantee the security of information transmitted to our website, so any online transmission is always at some risk.



If you use your credit or debit card to donate to us, buy something or pay for a registration online or over the phone we will ensure this is done securely and in accordance with the Payment Card Industry Security Standards. You can find more information about PCI DSS here [https://www.pcisecuritystandards.org/pci\\_security/](https://www.pcisecuritystandards.org/pci_security/). We will not retain any of your credit or debit card details.

## How long will CancerCare keep my personal information?

We will hold your personal information on our systems for as long as is reasonable and necessary for the relevant activity, which may be to fulfil statutory obligations (for example, the collection of Gift Aid).

Personal information that we no longer need is securely disposed of or anonymised so you can no longer be identified from it. This information may be retained by us in archives for statistical or historical research purposes although we do this in a manner that complies with applicable data protection law.

## Job Applicants and current and former CancerCare employees

If you are unsuccessful in your job application, we will hold your personal information for six months after we have finished recruiting the post you applied for. After this date we will destroy or delete the information. If you begin employment we keep the information in this file secure and will only use it for matters that apply directly to your employment.

Once you stop working for us we will keep this file according to our retention guidelines.

## Consent from Parents/Guardians if you're under 13

We are committed to protecting the privacy of young the people that engage with us throughout our website and at fundraising events. Our fundraising events also request specific information about the age of participants. Anyone under the age of 16 must obtain parental or guardian consent before participating in an event organised by CancerCare. Before we process any personal information of a child we will either undertake a Gillick competency assessment or obtain the consent of a parent or guardian.

## Complaints:

CancerCare tries to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this very seriously. We encourage people to bring it to our attention if they think that our collection or use of information is unfair, misleading or inappropriate. We would also welcome any suggestions for improving our procedures.

This privacy notice was drafted with brevity and clarity in mind. It does not provide exhaustive details of all aspects of CancerCare's collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to [data.protection@cancercare.org.uk](mailto:data.protection@cancercare.org.uk).

If you believe that CancerCare has not complied with your data protection rights, you can complain to the Information Commissioner's Office, their address is Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or by calling 0303 123 1113.

## Changes to CancerCare's Privacy Notice

This Privacy Notice may be updated from time to time so you may wish to check it each time you submit personal information.

\* Data Protection Requirements means the Data Protection Act 2018, the General Data Protection Regulations 2018, the EU Data Protection Directive 95/46/EC, the Regulation of Investigatory Powers Act 2000, the Telecommunications (Lawful Business Practice)(Interception of Communications) Regulations 2000 (SI 2000/2699), the Electronic Communications Data Protection Directive 2002/58/EC, the Privacy and Electronic Communications (EC Directive) Regulations 2003, the Privacy and Electronic Communications (EC Directive) (Amendment) Regulations 2011, the General Data Protection Regulation (from 25 May 2018) and all other applicable laws and regulations relating to processing of personal data and privacy in any applicable jurisdiction as amended and replaced, including where applicable the guidance and codes of practice issued by the UK Information Commissioner or such other relevant data protection authority.

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