



# Privacy Policy

Welcome to Max Appeal's privacy policy.

Max Appeal respects your privacy and is committed to protecting your personal data. This privacy policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and when you interact with us in other ways, and tell you about your privacy rights and how the law protects you.

## Important information and who we are

### **PURPOSE OF THIS PRIVACY POLICY**

This privacy policy aims to give you information on how Max Appeal collects and processes your personal data through your use of this website or any other way you engage with us, including any data you may provide when you sign up to our newsletter, purchase a product, receive our support services, take part in a competition or any other way you interact with us.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

### **CONTROLLER**

Max Appeal is a charity registered with the Charity Commission (number 1088432) and is the controller and responsible for your personal data (collectively referred to as "Max Appeal", "we", "us" or "our" in this privacy policy).

If you have any questions about this privacy policy, including any requests to exercise your rights, please contact us using the details set out below.

### **CONTACT DETAILS**

If you have any questions about this privacy policy or our privacy practices, please contact us in the following ways:

Max Appeal

Email address: [info@maxappeal.org.uk](mailto:info@maxappeal.org.uk)

Postal address: 15 Meriden Avenue, Stourbridge, West Midlands DY8 4QN

Telephone number: 0300 999 2211

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## CHANGES TO THE PRIVACY POLICY AND YOUR DUTY TO INFORM US OF CHANGES

We keep our privacy policy under regular review. 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.

## THIRD-PARTY LINKS

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

## The data we collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

**Contact and Identity Data** includes full name and address, email address and telephone number, parent, guardian or carer contact details where relevant, emergency contact, date of birth and gender, ethnic origin, title, marital status, username or similar identifier, passport and/or driving licence information, photography and video footage (where you attend an event);

**Financial Data** includes bank account and payment card details and details of Gift Aid donations.

**Health Data** includes information about your health and wellbeing and may include your medical history, treatments you have received or are advised to receive, medical diagnoses (results of X-Rays, scans and laboratory tests), appointments, tests, GP or other health professional details associated with the provision of your care, your full medical history and medical correspondence.

**Associated Data** includes data processed by us which may include academic history or other education related information associated with your attendance at a school or college, details of your housing situation or other data received by organisations in connection with your circumstances and the support we provide to you and details about your family and family circumstances where deemed relevant.

**Transaction Data** includes details about purchases or orders made by you, payments to and from you and other details of products you have purchased from us.

**Technical Data** includes information about how you use our website, products and services and includes [internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website].

**Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences, your interests, feedback and survey responses and information relating to any complaints.

In addition:

For members: **Member Data** also includes member number, membership start date, expiry date, disciplinary and safeguarding information. All personal data belonging to members is held on our database.

For volunteers: **Volunteer Data** also includes volunteer role(s), attendance, availability, application details, references, Disclosure and Barring Service check or equivalent, disciplinary and safeguarding information.

For trustees: Trustee Data also includes, dates of service as a trustee, Disclosure and Barring Service check or equivalent, disciplinary and safeguarding information.

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate data on how you use our website, products and services to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

### **Special Category Data**

"Special categories" of particularly sensitive personal information, such as information about your health, require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing your health data. Your special category personal data will be managed in accordance with the law and this privacy policy and also all applicable professional standards. We may process special categories of personal information where:

- we have your explicit written consent;
- where we are providing support to individuals with a particular disability or medical condition; or
- where it is processed for the protection of children and/or adults at risk.

NB these conditions can only be relied upon for processing special category data that can reasonably be carried out without the consent of the individual concerned and that it is necessary for reasons of substantial public interest.

Less commonly, we may process this type of information where it is required to be disclosed by law, where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

### **Information about Criminal Convictions**

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

We envisage that we may hold information about criminal convictions.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where required by law, or in some cases where we rely on your explicit consent. Where appropriate, we will collect information about criminal convictions as part of the recruitment process for our volunteers and in the appointment of our trustees, or we may be notified of such information directly by you in the course of you working for us.

We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

## IF YOU FAIL TO PROVIDE PERSONAL DATA

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with services). In this case, we may have to cancel a service you have with us but we will notify you if this is the case at the time.

## How is your personal data collected?

We use different methods to collect data from and about you including through:

**Direct interactions.** You may give us your personal by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:

- apply for membership;
- when you request our products and services;
- through your use of social media (Facebook and Twitter) including the private Max Appeal Facebook group;
- subscribe to our newsletter or digital magazine;
- request marketing to be sent to you;
- enter a competition, promotion or survey; or
- give us feedback or contact us.

**Automated technologies or interactions.** As you interact with our website, we will automatically collect some Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. Please see our cookie policy for further details.

**Third parties or publicly available sources.** We will receive personal data about you from various third parties as set out below:

- Contact, Financial and Transaction Data from providers of technical and payment services such as PayPal and Ebay.
- Health Data from health professionals such as your GP, consultant or hospital staff.
- Associated Data from schools or other education establishments. Occasionally we may receive data from social workers, housing associations or local councils.
- Information about criminal convictions from the Disclosure and Barring Service or Disclosure Scotland (or other such source), where relevant.
- From social media. Any information you post on social media that mentions Max Appeal or where you post to the private Max Appeal Facebook group.

## How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.
- Where it is necessary to protect your vital interests.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will obtain your explicit consent before processing your Health Data or sometimes where we process information relating to criminal convictions, in addition to one of the lawful bases above.

#### PURPOSES FOR WHICH WE WILL USE YOUR PERSONAL DATA

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing
<i>For All</i>		
To manage our relationship with you which will include: (a) Notifying you about changes to our privacy policy; (b) Asking you to leave a review or take a survey; (c) Notifying you about changes to our service; and (d) To verify your identity.	Contact and Identity Marketing and Communications	Performance of a contract with you. Necessary to comply with a legal obligation. Necessary for our legitimate interests (to keep our records updated and to study how our products/services are used).
To receive donations and assistance in other fundraising activities, to process gift aid, to thank individuals for their donations and efforts in support of Max Appeal, and inform as to how donations are used.	Contact and Identity Financial Marketing and Communications	Performance of a contract with you. Necessary to comply with a legal obligation. Necessary for our legitimate interests (to keep our records updated and to study how our products/services are used).
To enable you to partake in a prize draw, competition or complete a survey or to take part in a research project or an awareness campaign.	Contact and Identity Technical Marketing and Communications	Performance of a contract with you. Necessary for our legitimate interests (to study how our products/services are used, to develop them and grow our charity).
To administer and protect the charity and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).	Contact and identity Technical	Necessary for our legitimate interests (for running the charity, for the provision of administration and IT services, network security, to prevent fraud, and in the context of any reorganisation exercise). Necessary to comply with a legal obligation.

To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you.	Contact and Identity Technical Marketing and Communications	Necessary for our legitimate interests (to study how our products/services are used, to develop them, to grow the charity and to inform our marketing strategy).
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences.	Technical	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop the charity and to inform our marketing strategy).
To make suggestions and recommendations to you about goods or services that may be of interest to you including our events and to promote our charity.	Contact and Identity Technical Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow the charity). Consent.
To arrange attendance at events, to undertake relevant checks, provide a suitable working environment and comply with our regulatory requirements such as health and safety and safeguarding.	Contact and Identity Health Member Volunteer Trustee	Performance of a contract with you. Necessary for our legitimate interests (to administer and to grow the charity). Necessary to comply with a legal obligation.
<i>For Customers</i>		
To process and deliver your order including to manage payments, fees and charges [and to collect and recover money owed to us].	Contact and Identity Financial Customer	Performance of a contract with you. Necessary for our legitimate interests (to recover debts due to us).
<i>For Members and for those seeking our support services</i>		
To manage our relationship with you which includes: (a) <i>to establish and maintain contact with you;</i> (b) <i>to provide our support services to you;</i> (c) <i>organising and managing events; and</i> (d) <i>administering the Max Appeal safeguarding and disciplinary procedure.</i>	Contact and Identity Member Health Associated	Performance of a contract with you. Necessary for our legitimate interests (to administer and to grow the charity and its membership).

To register you as a member of Max Appeal where you request to become a member.	Contact and Identity Member Health Associated	Performance of a contract with you. Necessary for our legitimate interests (to administer and to grow the charity and its membership).
<i>For Volunteers and Trustees</i>		
To process your application and, where you are a volunteer, to arrange appropriate times for you to volunteer.	Contact and Identity Volunteer Trustee	Performance of a contract with you. Necessary for our legitimate interests (to ensure we have sufficient volunteering opportunities and appropriate support to enable us to deliver our services and to increase membership).
To undertake relevant checks and comply with our regulatory requirements such as health and safety and safeguarding purposes.	Contact and Identity Volunteer Trustee	Performance of a contract with you. Necessary to comply with a legal obligation.

## **MARKETING**

We may use your information to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you.

You will receive our newsletters from us if you are a member or if you have requested information from us or purchased products from us and you have not opted out of receiving that marketing. We will obtain your express opt-in consent before we share your personal data with any third party for marketing purposes.

## **OPTING OUT**

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time using the contact details at the start of this policy.

## **COOKIES**

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use.

## **CHANGE OF PURPOSE**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## Disclosures of your personal data

We may, with your consent, share your personal data with the following parties:

Health professionals for the purposes of delivering our services and providing support to you.

Other members of Max Appeal (subject to your consent).

Certain information and/or photographs of you may be displayed on our website (subject to your consent).

Service providers who provide IT and system administration services.

Professional advisers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.

HM Revenue & Customs, the Charity Commission, government departments, regulators and other authorities who require reporting of processing activities in certain circumstances.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## International transfers

We do not transfer your personal data outside the European Economic Area (EEA) without your consent.

## 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.

## Data retention

### **HOW LONG WILL YOU USE MY PERSONAL DATA FOR?**

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.

When you choose to terminate your membership, your details will be deleted from our database



## Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
  - If you want us to establish the data's accuracy.
  - Where our use of the data is unlawful but you do not want us to erase it.
  - Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
  - You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- Withdraw consent at any time where we are relying on consent to process your personal data which you can do by emailing us at [info@maxappeal.org.uk](mailto:info@maxappeal.org.uk). However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.
- If you wish to exercise any of the rights set out above, please contact us using the contact details at the start of this policy.

**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). 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 try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.