



## Privacy Notice (Nominator)

### INTRODUCTION

It is important that you read this notice so that you are aware of how and why we are using such your personal information.

Personal data is information or data from which you can be identified and is about you. 52 Lives (“the Charity”) is therefore a “data controller” in relation to the personal data that we receive in connection with your instructions for the provision of our services. A “data controller” is responsible for deciding how to hold and use personal data. We are required under data protection legislation, including the General Data Protection Regulation (GDPR) to notify you of the information contained in this privacy notice and it is important that you understand it. If there is anything in this notice that you do not understand please speak to our Data Protection Officer.

### THE INFORMATION THAT WE HOLD ABOUT YOU

You have made a nomination for someone to receive support or assistance from 52 Lives.

In order that we can provide our support to you, we will collect, store, and process some or all of the following categories of personal information about you depending on the services we provide.

Category	Examples
Personal Contact Details	Name, title, addresses, telephone numbers, personal email addresses.
Biographical Data	Date of birth, gender, marital status
Nomination Data	Information about your relationship with the Nominee, which may include information about you in a professional capacity or in a personal capacity depending on the circumstances.

It is unlikely that we will store or process more Sensitive Personal Data or “special categories of data” as it is known under the GDPR about you as a Nominator. Sensitive Personal Data requires a higher level of protection, and includes:

Sensitive Personal Data
<ul style="list-style-type: none"><li>• Information about your health, including any medical condition, health and sickness records.</li><li>• Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions.</li><li>• Information about criminal convictions and offences.</li></ul>

### HOW DO WE COLLECT AND USE YOUR PERSONAL DATA?

We collect and process personal data about nominees and their family members either directly from Nominees or sometimes from those working with, supporting or known to Nominees. As part of processing a nomination that you have made, we will collect and process a limited amount of personal data about you as a Nominator. We collect and process substantially more information about Nominees.

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

- Where we need to do so to evaluate nominations and subsequently to perform any contract we enter into.
- 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 or regulatory obligation.

The situations in which we anticipate we will process your personal data are listed below.

- Evaluating your nomination.
- Determining the terms of any support to be provided.
- Advising you and/or making decisions about your nominations.
- Administering any services we decided to provide to your Nominee.
- Management and planning, including accounting and auditing.
- Conducting reviews and managing performance.
- Dealing with legal disputes involving you.
- To prevent fraud.
- To monitor your use of our information and communication systems.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.

Some of our grounds for processing will overlap and there may be several grounds which justify our use of your personal data. In addition to 'performing a contract' or 'compliance with legal obligations', we may also process personal data for our legitimate interests (or those of a third party) and providing your interests and fundamental rights do not override those interests or rarely where we need to protect your interests (or someone else's interests) or where it is needed in the public interest or for official purposes.

If you fail to provide certain information when requested, we may not be able to provide you with the support requested, it may delay performance of that support, or we may be prevented from complying with our legal obligations.

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.

### **SENSITIVE PERSONAL DATA**

We will only collect and process Sensitive Personal Data about you if you provided it to us as part of your application, the nomination process, or in connection with the provision of our support.

If you progress your nomination and in doing so provide us with your Sensitive Personal Data we will

process that data in accordance with the terms of this privacy notice. If you do not wish us to process your Sensitive Personal Data, do not send it to us.

The law requires that we need to have further justification for collecting, storing and using Sensitive Personal Data as described above. We will most commonly use any Sensitive Personal Data that you provide in the following ways:

- To evaluate your nomination;
- To determine the terms of any support to be provided; and
- To administer the delivery or performance of any services to be provided.

We may lawfully process Sensitive Personal Data in the following circumstances:

1. With your explicit written consent.
2. Where we need to carry out our legal obligations.
3. Where it is needed in the public interest.

If you provide us with Sensitive Personal Data and we intend to process this, we will request your consent.

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

Less commonly, we may process this type of data 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 rarely collect data about criminal convictions. This will usually be where such processing is necessary to provide our support or carry out our obligations and provided we do so in line with our Data Protection Policy. Less commonly, we may use information, where it is necessary 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.

We will only collect data about criminal convictions if it is appropriate given the nature of the support we are to provide and where we are legally able to do so.

### **AUTOMATED DECISION-MAKING**

Automated decision-making takes place when an electronic system uses personal information to make a decision without human intervention. We do not envisage that any decisions will be taken about you using automated means.

### **DATA SHARING**

We may have to share your personal data with third parties, including service providers and professional advisers. We require third parties to respect the security of your personal data and to treat it in accordance with the law.

### **We might share your personal data with third parties?**

We will share your personal data with third parties where required by law, where it is necessary to administer the provision of our support or where we have another legitimate interest in doing so.

Given the nature of 52 Lives, in addition to IT and system administration support and provisional advisers, numerous activities are carried out by third party service providers who generously provide us with assistance. In order to request that assistance some details about you, including limited Personal Data, such as your first name and photograph, and some Sensitive Personal Data about your circumstances and the assistance required to provide you with support, will be posted on our website via our social media channels.

Personal Data is only shared with third parties on a need to know basis. All our third-party service providers are required to take appropriate security measures to protect your personal data in line with our policies. We do not allow our third-party service providers to use your personal data for their own purposes. We only permit them to process your personal data for specified purposes and in accordance with our instructions.

### **Transferring information outside the EU**

Depending on your location and/or the support being provided, we may on occasion transfer the personal data we collect about you outside the EU in order to provide our support. We anticipate this will be rare as most frequently we are asked to provide support in your local area.

To ensure that your personal data does receive an adequate level of protection we put in place appropriate contractual measure(s) to ensure that your personal data is treated by those third parties in a way that is consistent with and which respects the EU and UK laws on data protection. If you require further information about this you can request it from our Data Protection Officer.

### **DATA SECURITY**

We have put in place a Data Protection Policy and appropriate technological and organisational security measures to protect the security of your information and 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 an operational need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

### **DATA RETENTION**

We will only retain your personal data for as long as necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, accounting, or reporting requirements. 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 requirements. We currently retain personal data for a period of 6 years for nominations that are taken forward. For those that are not taken forward, we retain personal data for a period of 1 year.

In some circumstances we may anonymise your personal data so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a Nominator of the Charity we will retain and securely destroy your personal information in accordance with our data retention policy.

## **YOUR DATA RIGHTS**

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

Under certain circumstances, by law you have the right to:

- **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 information we hold about you corrected.
- **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 exercised your right to object to processing (see below). However, there may be reasons why we cannot agree a “request to be forgotten” or for data to be erased, such as where we need to retain it for regulatory or other reasons.
- **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. You also have the right to object where we are processing your personal information for direct marketing purposes.
- **Request the restriction of processing** of your personal data. This enables you to ask us to suspend the processing of personal data about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of your personal data to another party.

If you want to review, verify, correct or request erasure of your personal data, object to the processing of your personal data, or request that we transfer a copy of your personal data to another party, please contact our Data Protection Officer in writing.

Depending on the circumstances, we may request information to confirm your identity before processing your request. We may also charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

## **RIGHT TO WITHDRAW CONSENT**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal data for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact our Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your data for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so.

## **RESPONSIBILITY FOR DATA PROTECTION**

We have appointed a Data Protection Officer to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal data, please contact our Data Protection Officer. 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.

## **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time. We may also notify you in other ways from time to time about the processing of your personal data.

**If you have any questions about this privacy notice, please contact our Data Protection Officer at [dataprotection@52-lives.org](mailto:dataprotection@52-lives.org).**