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## **PRIVACY POLICY**

### **1. Who we are and why we collect your data**

BMA Charities is two charities, the BMA Charities Trust Fund (Charity registration number 219102) and the Dain Fund (Charity registration number 313108), which help doctors and medical students and their families in times of financial need. When we say “we” or “us” or “BMA Charities” in this policy we mean one or both of these charities.

In order to deal with your enquiry or application or donation to us we need to process your personal data. The lawful basis on which we will process your data is legitimate interest. We may also ask for your consent to process your data.

BMA Charities promises to respect and look after all personal data you share with us or that we get from other organisations. We will always keep it safe. We aim to be clear when we collect your data about how we will use it and not do anything you would not reasonably expect. We will never sell your personal data to another organisation and will only ever share it in appropriate, legal or exceptional circumstances.

### **2. Where we collect information about you**

We collect information in the following ways:

- (a) When you give it to us directly when you make an application for help, a donation or express an interest in our work.
- (b) When you give permission to other organisations to share it. You may have given permission to another charity you applied to to share your information.
- (c) When it is publicly available. This may include a search of the General Medical Council register or information that has been published in articles/newspapers.

We collect data from emails, letters, application forms, online forms and documents you send to us, telephone conversations you have with us, reference letters, emails and documents from other charities and the internet.

### **3. The personal data we collect**

The type and quantity of information we collect depends on why you are providing it.

3.1 If you are making an application to us we will typically ask for:

- Your name and contact details
- Your date of birth
- Details of your spouse/partner
- Details of your children
- Information relating to your studies or career
- Information relating to your finances – for example, bank statements, debts, savings, state benefits
- Information relating to your health
- Details of your referees
- Details of other charities you have applied to

In certain circumstances we ask for additional information - for example, details of your immigration status and/or the exams you have passed.

If you are awarded a grant by us we will also ask for your bank details.

3.2 If you are making a donation to us we will collect your name and address and credit card details or bank details.

3.3 If you have said that you would like to help with publicity, fundraising activities or have left us a legacy in your will we will collect your name and contact details.

#### **4. How we use your personal data**

We use your personal information to provide you with the service you expect from us. We may use your personal information better to understand how we may improve our services.

4.1 If you have applied to us for a grant or money advice, we use the personal information you have provided about yourself and, where relevant, your dependants to assess your need and eligibility for financial assistance, either by means of a grant or payments to a money advisor. Without this information we may not be able to provide you with assistance. The information we collect in order to do this is likely to be special category personal data (sometimes known as "sensitive personal data"). Access to the data will always be limited to appropriate individuals who are involved in the one or more of the following activities:

- Processing your application including writing to your referees and your doctor if you have given permission for this
- Making a decision on your application
- Providing you with money advice
- Paying a grant to you
- Obtaining feedback on our services

4.2 If you have given your consent, we may use your personal information to keep you informed about our work.

If you have given your consent, we may invite you to support our work by making a donation, getting involved in publicity or fundraising activities or leaving a gift in your will.

4.3 If you make a donation, we will use any personal information you give us to record the nature and amount of your gift, claim Gift Aid, if you have told us you are eligible, and thank you for your gift. If you interact or have a conversation with us, we will note anything relevant on our secure systems.

The Charity Commission requires us to know where funds have come from, as well as any conditions attached to them. We follow a due diligence process which involves researching the financial soundness, credibility, reputation and ethical principles of donors who have made, or are likely to make, a significant donation to BMA Charities. As part of this process we will carry out research using publicly available information and professional resources.

4.4 If you tell us that you have left a gift in your will, or are thinking about doing so, we will keep details of this. If we have a conversation or interaction with you (or with someone who contacts us in relation to your will, such as your solicitor), we will make a note of these throughout your relationship with us.

Where we are in the process of receiving a legacy gift, we will process personal data of individuals involved in the estate administration for the purpose of ensuring our compliance with legal obligations in receiving and using the legacy gift for our charitable purposes. Access to this personal data is restricted and stored for as long as necessary to administer our legacy. More detailed information about use of personal data for this purpose is provided to the estate Executors, Trustees or their professional advisors during the legacy administration process and can be found below.

We rely on legitimate interests to process personal data of individuals involved with the legator and their estate. Where we would like to process data that is not for the direct purpose of the legacy administration process, we will seek specific consent from an individual - for example, if we would like to remain in contact with a donor's relative to update them on how the legacy has been used to benefit BMA Charities' work.

#### *Where we collect personal data from*

- Executors, Trustees, solicitors and any other professional third party instructed in the legacy administration process
- Third parties, such as the Smees & Ford notification service
- Copies of wills either provided by Executors, Trustees or other professionals acting in the administration, or publicly available online
- Other co-beneficiary charities that have a similar interest to us under the will
- The public domain

#### *Whose personal data we collect*

- Donors who have left us a gift in their will
- Employees of organisations that we need to communicate with during the administration process
- Executors of the estate and Trustees of Will Trusts
- Other individuals named as beneficiaries in a will, including those who have a life interest in an ongoing Will Trust
- Next of kin and or family members that we may seek permission to thank and report on the progress of a legacy gift and how it has benefited us

#### *What data do we collect for gifts in wills*

- Home address and contact details
- Co-beneficiaries' level of entitlement to any gifts or share of an estate in which we receive a benefit
- Telephone, email, internet or other electronic communication details if provided to us
- Sensitive personal information such as health status, if it is pertinent to the legacy case and there is a clear reason for doing so

#### *How we use gifts in wills data*

- We will only use personal information for the purposes of the legacy administration process, the purpose for which it was obtained.
- We only share your information internally where it is directly relevant to those who need to know, when they need to know it.
- We may need to share your information with 'data processors' such as associated organisations and agents who provide us with a legacy administration service or other charity beneficiaries who have a similar interest to our own. These 'data processors' will only act under our instruction for use and security of your data.

#### *How we store gifts in wills data*

- Personal data is stored securely in the cloud with restricted access. Any paperwork containing personal data is kept to a minimum, locked away when not in use and securely destroyed when no longer needed.
- Personal data is held for as long as is necessary to ensure our legal entitlement is administered without challenge. Some legacy administration cases can be ongoing for long periods, for example in a life interest case where we have an interest in an asset that someone else is entitled to live in during their lifetime.

## **5. Sharing your data**

We will only share your details with third party organisations when it is necessary to:

- Provide you with the services you have asked for or process your donation
- Request further information regarding your application from your referees, your doctor, your medical school, the organisation providing you with training and/or other charities you have applied to

5.1 If you have made an application to us and have given us your consent, we may share personal information about you and, where relevant, your dependants with the following charities:

- The Cameron Fund
- The Royal Medical Foundation
- Royal Medical Benevolent Fund
- The Society for the Assistance of Medical Families

These charities might be able to offer financial assistance if we are unable to do so for any reason.

If you have given us your consent, we may share your personal information with providers of money and debt advisory services, such as Adviceworks, to enable you to benefit from financial guidance or debt counselling.

5.2 If you have made a donation to us we may share your personal information with selected third parties in order to process the donation.

5.3 If you have given consent to help us with publicity we will only use your personal information in the ways agreed with you. In strictly controlled situations we may share your information with agents who are helping us with publicity.

5.3 When sharing personal information, we share only so much as is necessary in the circumstances and we make sure that it is done securely and safely.

Generally, we will not transfer your personal information outside the UK. However, we will share personal information with law enforcement or other authorities if required by applicable law.

We will never sell your personal details to third parties.

5.4 Our website contains links to the websites of other organisations. If you follow a link to any of these websites, they will have their own privacy policies for which we do not accept any responsibility or liability.

## **6. How we keep your information safe and who has access**

6.1 We make sure that there are appropriate measures and controls in place to protect your personal details. We have cyber security and data security policies which are regularly reviewed. Trustees and staff are required to read these as part of their induction process.

6.2 Personal data is stored securely in the cloud with restricted access. Any paperwork containing personal data is kept to a minimum, locked away when not in use and securely destroyed when no longer needed.

6.3 We may be legally required to share your details with the police, statutory or regulatory bodies or legal advisors. We may share your details with our accountants for the purposes of managing grant payments and for audit. We may share your data with other charities with which we have Data Sharing Agreements (see above). We will only ever share your data in other circumstances if we have your explicit informed consent.

6.4 Credit card payments are processed by Stripe which is certified as a Payment Card Industry Service Provider Level 1. Your payment card information is not processed or held by us.

## **7. The legal basis on which we collect and use your personal information**

7.1 We collect, store and use personal information about you and, where relevant, your dependants on the basis that it serves our and your legitimate interests to be able to provide you with financial assistance, that having asked for assistance you would reasonably expect this, and that it does not materially impact your rights, freedoms or interests.

7.2 We will normally only share personal information about you or your dependants on the basis of consent and you may withdraw your consent at any time. However, we may share limited amounts of personal information with the charities named above for fraud prevention purposes. We may do this even if you have withdrawn your consent on the basis that it is in our legitimate interests to ensure that BMA Charities' funds are applied only in cases of genuine need. Personal information shared in these circumstances will generally not include special category personal data.

## **8. Keeping your information up to date**

If your personal details change, please let us know. You can do this by email or letter. We will make the changes within 28 days of the receipt of your request. We do not accept requests for changes by telephone so that we can be sure that the changes we make are accurate.

## **9. Keeping your personal information**

9.1 If you are a medical student or an applicant to the Dain Fund and a grant is awarded to you we are legally required to keep your personal information for seven years from the last event on your file.

9.2 For all other beneficiaries, we have a policy of only helping a person once. This means that we have to retain some information about you (including name, country of origin, brief background and family and career information, and references) indefinitely. All other information will be deleted after seven years.

9.3 If you apply to us and a grant is not awarded to you, we will retain your personal information for three years in case you make a further application in that time. In exceptional cases, for example where fraud is suspected, the Trustees reserve the right to keep your data on file for longer periods.

9.4 If you make a donation to us we will retain your personal information for seven years from your last donation.

## **10. Your right to know what information we hold on you, make changes or ask us to stop using your information**

10.1 You have a right to ask us to stop processing your personal information and, if it is no longer necessary for the purpose for which you provided it (for example, paying grants to you) we will do so. You can make this request by email or post so that we have a clear record of your request. We will either confirm that we have stopped processing your personal information or explain to you why we cannot do this within 28 days of the receipt of your request. We do not accept such requests by telephone.

10.2 You have a right to ask for a copy of the information we hold about you. If there are any discrepancies in the information we provide, please let us know by email or post and we will correct them. We will do this within 28 days of the receipt of your request.

10.3 If you want to access your information, send a description of the information you want to see and proof of your identity by post to Data Controller, BMA Charities, BMA House, Tavistock Square, London, WC1H 9JP. We do not accept these requests by email or telephone. This is so that we can make sure that we only provide personal data to the right person.

10.4 If you have any questions please send these to [info@bmacharities.org.uk](mailto:info@bmacharities.org.uk). If you wish to make a complaint about how we have handled your personal information please ask for a copy of our complaints procedure. For further information see the Information Commissioner's guidance <https://ico.org.uk/for-organisations/guide-to-data-protection/principle-6-rights/subject-access-request/>

## **11. Changes to this Policy**

We review this policy regularly and update it from time to time to reflect current law and best practice requirements. We will place any updates on this webpage.

This policy was created in October 2017 and was last amended in November 2020.