

Privacy Notice

Introduction

This Privacy Notice ("**Notice**") describes how your personal information is collected, used and held by Les Bourgs Hospice. It also sets out the conditions under which we may process any information that we collect from you, or that you provide to us, including:

- What types of personal information we collect
- Where we collect your personal information from
- Why we use the information about you and on the legal grounds we rely on
- The circumstances in which we may share your personal information and to whom
- Marketing
- How we protect your information
- Transferring your information outside of the European Economic Area (EEA)
- Your rights to information and correction
- Retaining your data
- Your right to complain to the Office of the Data Protection Authority
- How to contact us

Who we are

History:

Les Bourgs Hospice at Andrew Mitchell House was founded for the people of the Bailiwick in 1990 by Greville Mitchell OBE and Mrs Lisa Mitchell who recognised the need for a Hospice to provide the highest levels of compassionate and professional care to patients with life-limiting illnesses, as well as their loved ones. The hospice is independent and relies entirely on public support. All Bailiwick residents are eligible to be referred to the hospice for residential, respite and day care where the care offered is appropriate for their needs. The hospice makes no charge to the patient but, as we are a primary care service, patients pay for their own GP visits as they would at home.

Les Bourgs Hospice is a Company Limited by Guarantee Company Number: 44019 with Association of Guernsey Charities Number: 141 and Guernsey Registry Number: CH25. Our registered office is: Andrew Mitchell House, Rue du Tertre, St Andrews, Guernsey GY6 8SF. Les Bourgs is a data controller for the purposes of the Data Protection (Bailiwick of Guernsey) Law, 2017 (as amended) (the "**DPGL**"). This means that it make decisions about the means and purposes of processing personal data.

Corporate entities:

Les Bourgs is supported by:

- Friends of Les Bourgs Hospice which is the fundraising arm of the hospice and is a Company Limited by Guarantee Company Number 56125, with Association of Guernsey Charities Number 307 and Guernsey Registry Number: CH47 and whose registered office is the same address as stated above for Les Bourgs Hospice and
- Les Bourgs Enterprises Limited which processes our employees' personal data.

For the purposes of this Notice, where we refer to "**we**", "**our**", and "**us**", we mean each of the Les Bourgs entities described above as appropriate.

1. What information do we collect about you?

We collect the following personal information from you:

- Name(s)
- Contact details (postal address, email address, telephone numbers)
- Records of money donated to Les Bourgs Hospice as part of a donation or fundraising initiative
- Relevant information deemed necessary for us to maintain financial records and relevant operational communications with yourselves.
- If you contact us electronically, we may collect your electronic information identifier, for example your Internet Protocol (IP) address or telephone number supplied by your service provider.
- In certain limited circumstances, special category data (see below).

Special Category Data

Some of the information we ask you to provide to us may be classified as 'Special Category Data' (previously referred to as Sensitive Personal Data) as defined by the DPGL. Special Category Data comprises personal data revealing an individual's racial or ethnic origin, political opinion, religious or philosophical belief, trade union membership, genetic and biometric data, health data, personal data concerning an individual's sex life or sexual orientation, or criminal data. For example, if you receive care at Les Bourgs, we will process health data contained in your medical records.

We will not use such Special Category Data about you or others except for the specific purpose for which you provide it. However, please ensure that you only provide us with Special Category Data about other people with their agreement. Please see appendix A at the end of this Notice for more information as to how we handle Special Category Data.

2. Where we collect your personal information from:

We collect personal information in the following circumstances:

- Patient care:
 - When a patient is referred for hospice care by a medical professional
- Fundraising and volunteer efforts:
 - Money is donated to Les Bourgs Hospice by you or someone on your behalf. Donated money is used solely by Les Bourgs Hospice to maintain and improve the facilities we have on offer
 - When you register for events through 3rd party supporters who run events on our behalf;
 - When you register as a volunteer for Les Bourgs Hospice or the Friends of Les Bourgs Hospice and an application form is completed
 - Members sign up for Les Bourgs Hospice Lottery Club
- Employment:
 - Application and successful appointment as a staff member for Les Bourgs Hospice or Les Bourgs Hospice Enterprises
- When you access our website:
 - We collect information through the use of Cookies and similar technologies, to enable us to remember you when you visit our websites and to improve your online experience.
 - Cookies help us understand how you use our websites, view our products and respond to our advertising, so we can tailor direct marketing and enhance our overall product and service offering to you. When you visit one of our websites, we may record your device information including IP address, hardware and software used, general location, and when and how you interact with our websites. This information is retained and used to note your interest in our fundraising events and to improve customer experience.
 - For more information regarding our use of cookies, please visit our cookies policy at <https://www.lesbourgshospice.org.gg/cookie-policy/>.

3. Why we use the information about you

We may use personal data information to:

- Provide you with news and updates about Les Bourgs;
- Send operational information to you around fundraising initiatives you have registered to support;
- Retain records of all of the donations you have sent for financial reporting purposes and to provide details of our fundraising and events.
- Verify your identity
- Investigate or respond to legal disputes, regulatory investigations or for compliance purposes as required
- Help us improve our services and our patient experience
- Contact you by post if we need to tell you there is an error or change in your policy
- Communicate with you for relevant operational reasons
- Ensure we comply with legal and regulatory requirements.

4. Legal grounds we rely on to use your personal information:

To process your information, we may rely on the following lawful bases:

- **Legitimate interests:** We may use your information for our legitimate interests, such as to provide you with the most suitable website experience, understand our patients' requirements for best possible care, for administrative purposes including to develop our services, systems and relationships with you, emails or newsletters, or to improve and promote our fundraising events.
- **Legal obligations:** We may retain records of your donations and other information where we have a legal or regulatory obligation to process the personal data, for example for the prevention and detection of fraud and financial crime
- **Charitable basis:** We may also process your personal data in the context of our legitimate activities provided that appropriate safeguards for the significant interests of data subjects are in place, the processing only relates to an individual who has regular contact with us and it does not involve the disclosure of personal data to a third party without the consent of the data subject
- **Vital Interests:** We may process your personal data where it is necessary to protect the vital interests of the data subject or any other individual and the data subject is physically or legally incapable of giving consent or where explicit consent is not reasonable
- **Legal advice:** We may process your personal data for the purpose of or in connection with any legal proceedings, for the purpose of obtaining legal advice or otherwise for the purposes of establishing, exercising or defending legal rights
- **Consent:** We may process your personal data, in limited circumstances, based on your consent. You have a right to withdraw consent at any time. Should you wish to do so, please contact us using the detail provided at the end of this Notice
- **Health or social care purpose:** We may process your personal data where it is necessary for a health or social care purpose (for example, the provision of medical, health or social care or treatment) and is undertaken by a health professional or a person who in the circumstances owes a duty of confidentiality which is equivalent to a duty owed by a health professional.

5. How do we share your information and who do we share it with?

Third parties

Except in exceptional circumstances (as described under the heading 'Exceptions' below), we will only share limited personal information with third parties (other than entities outside of our own group of companies) in the following specific circumstances:

- With relevant healthcare professionals to optimise high level care and as part of patient safeguarding. Such information (which may include health data) is shared through multidisciplinary (MDT) meetings with GPs and other clinicians involved in the care of the patient. Please see Appendix A of this Notice for more information about the pathways in which medical data may be shared.
- Where a local supporter (e.g. a business) wishes to raise a fund raising event for our benefit we will share limited personal data (comprising an individual's name and contact details only) with that organiser to the extent necessary to enable the event organiser to run the event successfully and will instruct the organiser to delete the data after the event and confirm deletion.
- Where we organise our own fund raising events, we may invite our supporters to sign up to that event via RaceNation, a third party fundraising and event registration platform. When users provide their details to RaceNation they agree to have their information processed according to RaceNation's terms and privacy notice.
- With our payment service provider CityPay Limited, (formerly known as PayOffshore.com Limited) which is licensed by the Jersey Financial Services Commission and securely processes limited financial information relating to any online payments (such as donations) on our behalf. You can access their privacy notice by visiting their website: <https://citypay.com/company/privacy-policy.html>
- [With our third party marketing providers which securely sends out marketing material such as newsletters, email correspondence regarding fundraising events and the lottery. Only the individuals' name and details of correspondence is shared in this instance.]
- With our third party IT systems provider based in the Bailiwick.
- With undertakers and their representatives.
- With Professional advisers such as lawyers and auditors.
- With law enforcement and fraud prevention agencies (see paragraph 9 below) where we are required to do so.

Exceptions

We would like to bring your attention to our obligations to disclose information in the following three exceptional cases permitted by law where we are legally compelled to do so;

- where there is a duty to the public to disclose;
- where disclosure is required to protect our interest; and
- where disclosure is made at your request or with your consent.

Links on our site

Other companies or service providers whose websites are accessible via links on this site are provided solely as a convenience to you or to enable us to carry out the fundraising initiatives described above. Les Bourgs Hospice is not responsible for their content or data protection provisions. If you use these links, you leave Les Bourgs Hospice's website. Should you require more information about how these sites process your personal data, please visit their privacy notices.

6. Marketing

We would like to send you information about fundraising events of ours which may be of interest to you. We will collect your information for marketing purposes if you consent to this when you provide a donation or register for one of our fundraising events or initiatives.

All personal details are transferred onto the Les Bourgs Hospice Fundraising Donorflex database. This information is not shared with any third parties without your consent. You will be asked to opt in to a mailing list however should you receive mailings from us that you would rather not receive, please notify us by email at info@lesbourgs.com and we will remove you from any mailing lists as soon as possible. You also have the right to withdraw consent at any time.

Telephone calls

- We will contact the next of kin and health care professionals relevant to the patient in our care with their consent
- We do not ever contact by telephone for marketing purposes and will not use your telephone number for this purpose
- Telephone numbers may be used in the absence of email contact if we need to make contact regarding an operation matter or if we need to contact you regarding an event you have registered for
- Telephone calls are not recorded

7. How we protect your information

We work hard to keep your data safe. We use an appropriate combination of technical and organisational measures to ensure, as far as reasonably possible, the confidentiality, integrity and availability of your information at all times. If you have any security-related concerns, please contact us using the details provided at the end of this Notice.

Any Special Category Data processed by us and used for internal audit purposes is pseudonymised (this means that we have obscured the identifying information) and restricted access to personnel on a "need to know" basis only.

Keeping safe online

We advise our customers to always close down the browser they have used after accessing our site, or any other, to ensure other users cannot obtain access to their data. This is best practice when using both home and 'public' computers.

We capture your personal information, such as names and addresses, over a secure link using recognised industry standard Secure Sockets Layer (SSL) technology which encrypts the data whilst passing it over the web. This will be indicated on most browsers by a lock in the status bar at the bottom of the screen. Firewalls are used to block unauthorised traffic to the servers and the actual servers are locked in a secure location which can only be accessed by authorised personnel. We also use Transport Layer System (TLS) technology to encrypt emails when they are sent over the Internet. Our security systems and firewalls are monitored and updated.

8. Transferring your information outside of the European Economic Area (EEA)

We do not transfer your personal data outside of the Bailiwick or European Economic Area (EEA). This includes special category data such as medical records.

9. Detecting and preventing fraudulent or criminal activity

We value the confidentiality of your personal information. However, there are some instances where we need to share your information with third parties to assist us in detecting and preventing criminal or fraudulent activities. If you require any more information about this, you can talk to us in person at any branch, or by contacting us using the details provided at the end of this Notice.

Fraud prevention agencies

If false or inaccurate information is provided and fraud is identified or suspected, details may be passed to fraud prevention agencies. Law enforcement agencies may access and use this information.

We and other organisations may also access and use this information to prevent fraud and money laundering, for example when:

- Checking details on donations and fund-raising events
- Checking details of job applicants and employees.

Please contact the Data Protection Representative at the address below if you want to receive details of the relevant fraud prevention agencies.

We and other organisations may access and use from other countries the information recorded by fraud prevention agencies.

10. Your rights to information and correction

You have a number of rights with regards to the personal information that we hold about you which you will have provided as part of taking up a quote or policy with us. The rights are as follows:

Right to information for personal data collected from data subject You have a right to be given various information about the data we hold about you along with a statement as to whether the provision of your personal data is a statutory or contractual requirement, or a requirement necessary to be met in order to enter into a contract, and whether you are obliged to provide the personal data, and the possible consequences of failure to provide that personal data.

Right to information for indirectly collected personal data Where personal data processed in the context of a controller has not been collected from you by Les Bourgs Hospice or a processor acting on our behalf, you have a right to request the information.

Right to Data Portability In certain circumstances you may be entitled to 'port' your personal information to another organisation electronically. We will only port personal information that you have provided to us, that we have processed based on your consent or performance of a contract, or that has been processed automatically in accordance with the DPGL.

Right of Access You have the right to request a copy of the information that we hold about you.

Exception to right of portability or access involving disclosure of another individual's personal data Where Les Bourgs Hospice is unable to comply with a request made by you without disclosing information relating to another individual who is identified or identifiable from that information, we have the right to refuse provision or transmission.

Rights to Object You have the right to require us to cease processing of your data for direct marketing purposes, on grounds of public interest or for historical or scientific purposes.

Right to Rectification We want to make sure that your personal information is accurate and up to date. You may ask us to correct, update or remove information you think is inaccurate or incomplete, and we ask that you inform us promptly of any changes to your circumstances.

Right to Erasure	You may also ask us to erase your personal information from our systems, in certain circumstances. There are some specific circumstances where the right to erasure does not apply and we are permitted to hold your data. We will explain the reason for this at the time if this should occur.
Right to Restriction of Processing	You have a right to request that we restrict the processing of your personal data in certain circumstances. We will inform our third parties to whom we have disclosed your personal data that they must also restrict processing. We will inform you when the restriction on processing your personal data ends.
Right to be notified of rectification, erasure and restrictions	Where we have disclosed your personal data to another person, you have the right to be notified unless such notification is impracticable or involves disproportionate effort.
Right not to be subject to decisions based on automated processing	You have a right not to be subjected to an automatic decision and we would only allow automated processing with your consent or if it is necessary to protect your vital interests.

If you would like to exercise any of these rights then please write to us or email us using the details provided at the end of this Notice, outlining your specific request.

We will provide you with this information without delay or charge and at the latest within one calendar month of receipt and verification of your identity. If the request is deemed complex, we may extend the response time. We will inform you if this is the case and provide an explanation.

11. Retaining your data

Les Bourgs Hospice, and the information we collect about you, are subject to various regulatory and legislative personal information. In addition, we will not keep your information for longer than is necessary and destruction of records will be in accordance with our record keeping policy. Where it is not possible for us to delete your data, we will ensure the appropriate security and organisational measures are put in place to protect the use of your information.

12. Complaints

We understand that the information you entrust to us is important to you, and we are committed to protecting and respecting your privacy and confidentiality. However, if you have a complaint, you can talk to us on 01481 251111, or by contacting us using the details provided at the end of this Notice. You also have the right to lodge a complaint with the Office of the Data Protection Authority at <https://odpa.gg/>

Should you take the decision to make a complaint about the service we have provided, we may be obliged to forward details about your complaint, including your personal information, to the relevant ombudsman in existence at the time. You can be assured that they are similarly obliged to adhere to the Data Protection (Bailiwick of Guernsey) Law, 2017 and keep your information strictly confidential.

13. Changes to our Privacy Notice

We will place any relevant updates to our Privacy Notice on our website and in relevant communications. Should we plan to use personal data for a new purpose, we will update our Privacy Notice and communicate the changes to individuals prior to commencement of any new processing.

14. Best Practice

We undertake an information audit to record what personal data we hold, how it is stored and what it is used for. We also carry out testing to evaluate how effective our privacy information is.

15. Who to contact in relation to processing of personal information at Les Bourgs Hospice

Please contact us if you would like to discuss anything in relation to this policy or how we handle your personal information. You can reach the Data Protection Representative for Les Bourgs Hospice by:

Email at Jo.Boyd@lesbourgs.com

Tel: 01481 251111

Writing to us at:

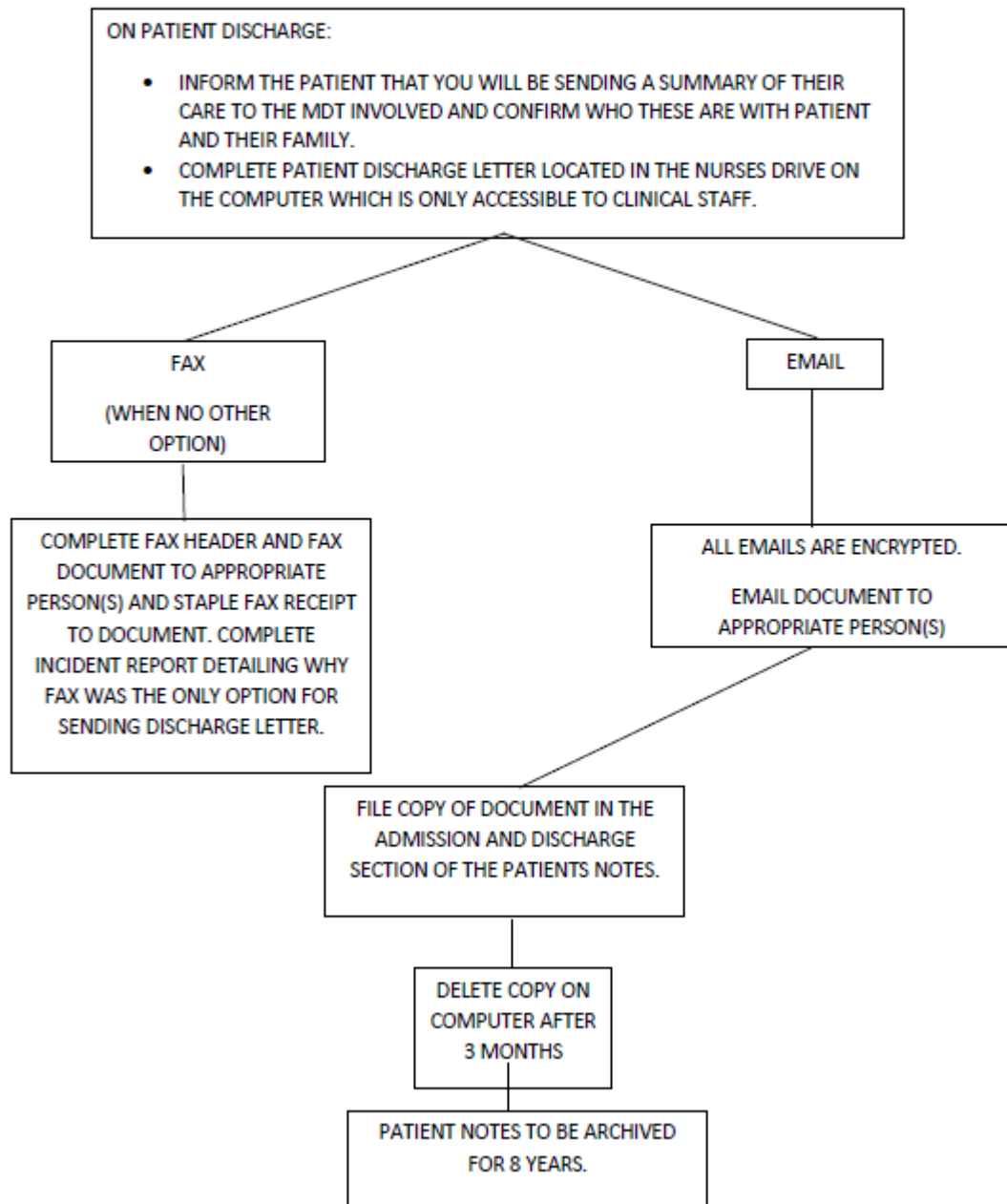
Mrs Jo Boyd MBE
Hospice Director
Les Bourgs Hospice
Andrew Mitchell House
Rue Du Tertre
St Andrews
Guernsey
GY6 8SF

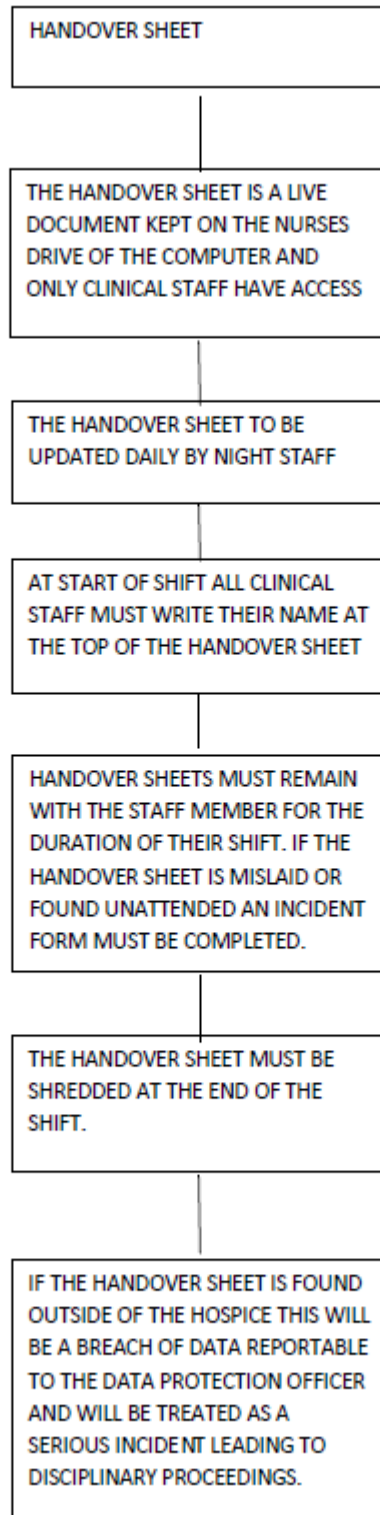
APPENDIX A

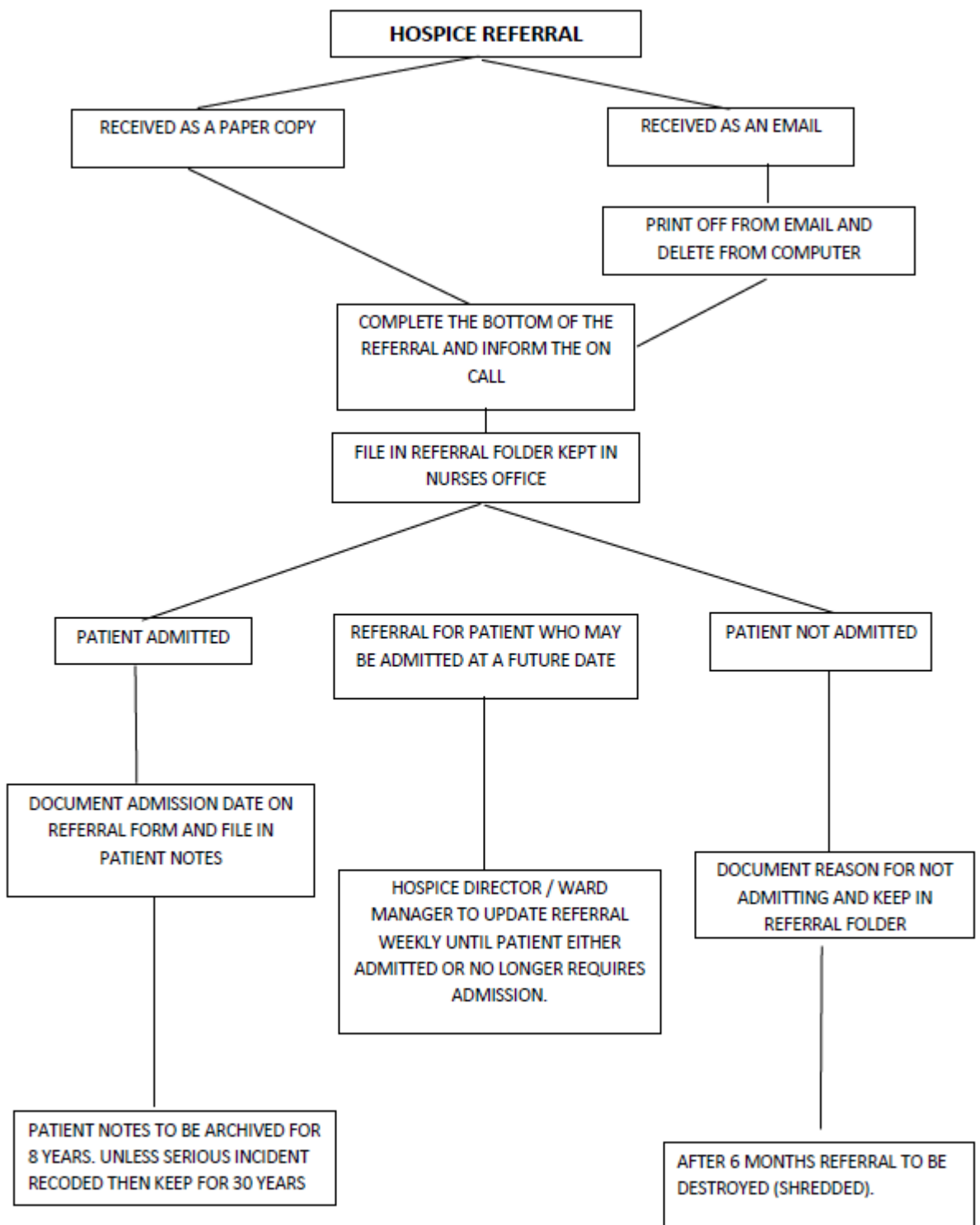
The following documents are provided under this appendix in relation to how Special Category Data is handled:

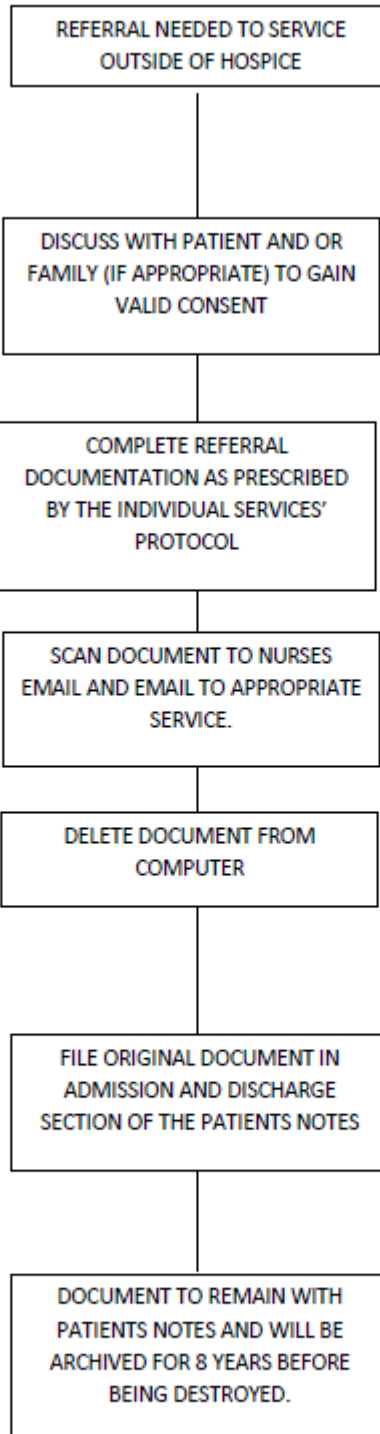
- Discharge Information
- Referral to Multi-Disciplinary (MDT) Pathway
- Referral Pathway
- Transfer of Hospital Notes

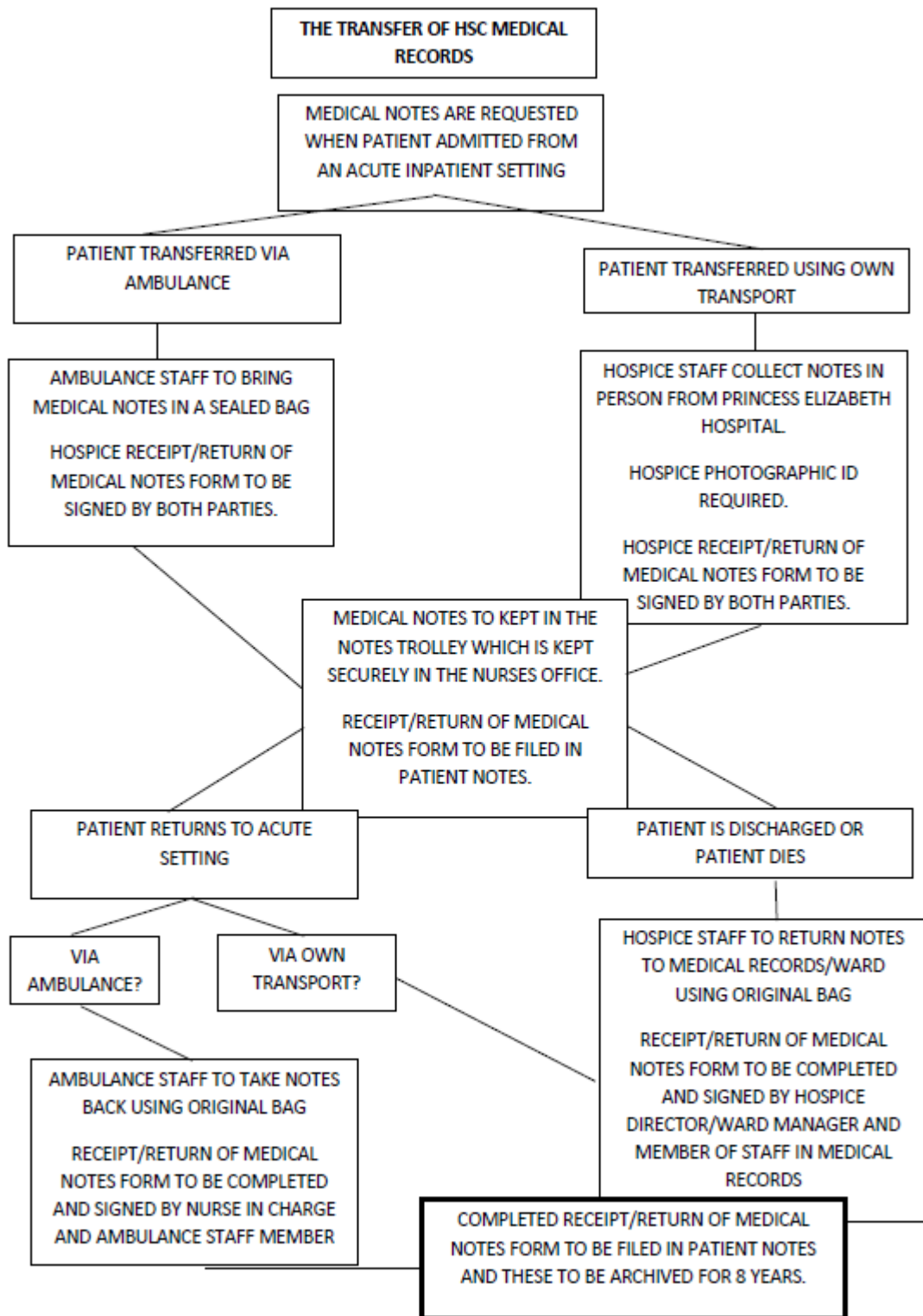
**THE TRANSFER OF
DISCHARGE LETTERS
BETWEEN SERVICES**











Receipt/return of HSC Medical Records

Patient name:		DOB:		
	Date	Name	Designation	Signature
Records received from				
Records Received by Les Bourgs Hospice				
Records returned from Les Bourgs Hospice				
Records received by				