

# Terms and Conditions and Data Protection Statement



**Family Fund**  
Helping disabled children

## Family Fund application for grant or support

### Declaration



Please read the statements and Terms and Conditions below before submitting an application to us. By submitting your application, you are accepting the Terms and Conditions, including the Data Protection Statement. If you have any questions or concerns about the Terms and Conditions, please email us at [info@familyfund.org.uk](mailto:info@familyfund.org.uk).

Call us on  
**01904 550055**  
for a large format  
copy of this  
document

In return for Family Fund considering this application, in its capacity as a Data Controller or Data Processor (more information about the roles held by Family Fund is contained in the Data Protection Statement), I acknowledge that I will be subject to the Terms and Conditions and declare that the following statements are accurate:

The information that I provide about each child is accurate. I understand that to be eligible for grants or support from Family Fund, my child must meet the Family Fund Child and Young Person's Eligibility Criteria, or where applying to the SFDC programme, that programme's eligibility criteria. If there is or has been a significant improvement since the last application, I will advise Family Fund. A copy of the criteria for the funds managed by Family Fund can be obtained by visiting the Family Fund website [www.familyfund.org.uk](http://www.familyfund.org.uk), or emailing [info@familyfund.org.uk](mailto:info@familyfund.org.uk).

I am the applicant named in this application. I am the main carer of each child named in this application. Each child in this application lives with me on a permanent basis. I understand that if I share the care of any child named in this application with anyone else, (for example, the child lives half of the time with their mother or half the time with their father) I must notify Family Fund of this.

The child(ren) I am applying for are not in the care of the local authority or in foster care. The information that I provide about my household income is accurate.

I understand that Family Fund and the programmes that it manages, have household income criteria and that I must inform them of any changes to my household income and provide evidence.

I acknowledge that I will be required to provide income confirmation as requested by Family Fund and understand that failure to do so will result in the application being declined.

I understand that, by submitting this application, Family Fund (acting in either a controller or processor capacity) will use its Legitimate Interest to consider me for grant programmes and support that may be relevant to me unless I inform them of my desire to opt-out of this process.

I understand that help from Family Fund and the programmes that it manages is discretionary and subject to funding. There is no entitlement to a grant or support and all cases are assessed on an individual basis.

**Terms and Conditions: You must acknowledge the statements below before your application is processed.**

#### I declare as follows:

The information provided by me to Family Fund, whether through this application form, by phone, or otherwise is accurate and up-to-date and not misleading.

I have read the Family Fund Data Protection Statement and the relevant statements from other programmes managed by Family Fund to which I am applying. I acknowledge, on behalf of myself, each child referred to in this application, and all other family members about whom Family Fund will process personal information in connection with this application, that Family Fund will collect and use our personal information as set out in the Data Protection Statement. I am authorised to give such acknowledgement on behalf of each child and family member. I will inform you if any such information requires updating and that, where I submit any other person's details to Family Fund, I have that other person's permission or am otherwise legally permitted to do so on their behalf.

I understand that as well as the information that I provide directly to Family Fund about my family circumstances in the application, where I permit you to do so you may also collect information about me and my family's circumstances from third party professionals linked to my child's healthcare, education or social care.

In addition, I acknowledge that if I submit an application to you then Family Fund, acting in either a controller or processor capacity, may use the information on the application to arrange for an assessor to contact me for an interview, either on the phone or through a visit, and write a detailed report for Family Fund on my family circumstances. This will contain the sensitive information that I will provide in the course of the interview and

the assessor's opinions on how this meets the criteria are to be considered for Family Fund grants and support.

I understand that where I have applied through Family Fund's network of authorised healthcare professionals ("authorised referrers") who have submitted my application on my behalf I will have provided explicit consent to the referrer doing so and will be bound by the terms and conditions that they made me aware of, at that time.

I understand that retained information will include contact information for family members, children and third parties passed on by me to Family Fund across the period that my child may be eligible for assistance. Should circumstances change that require amendments or deletions of any contact information held on my file, I understand that it is my responsibility to notify Family Fund, either in writing or over the phone, as soon as those changes in circumstances occur. If circumstances are particularly sensitive I shall take extra care in notifying Family Fund (for example, using recorded delivery and following up any written request with a phone call etc).

I agree to advise Family Fund of any changes in circumstance that may affect the application, for example any changes in my child's condition, care arrangements, earned income or living arrangements, including the death of any child or a child becoming subject of a care order. I will notify Family Fund in writing of such changes as soon as they occur, whether they occur before or after the date of this application.

If Family Fund awards me a grant through any programme that it manages, I will use it specifically for the purpose that I agree with Family Fund during the application process and which will be detailed in the award letter that I will receive if my application is successful.

In addition in relation to grants awarded:

- I understand that certain grants will be provided in the form of goods, services or by payment card using suppliers selected by Family Fund; and that cash alternatives will not be provided where Family Fund believes its offer is reasonable.
- I acknowledge that, as a condition of receiving the grant, I will be required to obtain and retain, for at least 12 months, receipts for any items purchased by me using Family Fund grants. I will then send them to Family Fund within six weeks of a request from Family Fund (which Family Fund shall use as necessary for its legitimate interests in maintaining records of awarded grants).
- I agree not to sell or transfer any goods awarded by Family Fund for the term of any warranty unless there is a change of carer.
- I agree that, in the event of any change of carer of any disabled child, any items or funds awarded specifically to assist with the disabled child (for example, white goods, computer, clothing, family break, etc.) will be transferred, free of charge, to the new carer if such items or funds are required for the disabled child.
- I agree that, if I move house, I must take with me any removable items provided by Family Fund and notify Family Fund of my new address.

- I understand that any grants that are awarded, unless expressly stated otherwise, are a contribution towards the items referred to in my application and that in accepting the grant I will be expected to pay any additional amounts required to purchase those items.
- I understand that cash grants will be paid directly into a bank account and that this can be my own account or one belonging to a person nominated by me, subject to that person's agreement. I understand that if my bank details change after I have provided them to Family Fund I will contact the charity to notify them. I understand that if I provide incorrect bank details or fail to advise Family Fund of a change then Family Fund may not be able to recover an awarded amount from the incorrect recipient and therefore may not be able to award me a grant.

I understand that from time to time Family Fund may receive funding for grants and support which I can be considered for, which will require my agreement to specific terms and conditions which may be different to those above. I understand Family Fund will make it clear to me that different terms and conditions apply and require my acceptance of those terms and conditions at that time.

I understand that Family Fund will investigate any allegations of misuse of grants or fraud and will prosecute if there is sufficient evidence to prove that fraud has been committed.

I agree that these terms and conditions, the declaration and the Data Protection Statement are governed by English law and that the courts in England and Wales have non-exclusive jurisdiction to hear disputes between us. However, I acknowledge that if I am a resident of Northern Ireland I may also bring proceedings in Northern Ireland, and if I am a resident of Scotland I may also bring proceedings in Scotland.

Please note that, as part of our fraud detection and prevention programme, we will conduct a basic identity check as part of the application process. We may also contact you using the contact details we hold on file for you once you have submitted this application.

By signing the application form I confirm that I have read, understood and agree to be bound by the terms and conditions set out above. I will also, by doing so, be providing explicit consent to me and my family's personal information being processed for the purposes of Family Fund considering, and responding to, my application in accordance with the Data Protection Statement. I will also be acknowledging that the statements in the declaration above are accurate.

# Family Fund Data Protection Statement



We need to collect data about you, your child, and your family in order to process your application. This Family Fund Data Protection Statement explains what data we will collect, how it will be used, how long we keep it for, and what you need to do if you wish to see what data we hold about you. By submitting an application, you are acknowledging the contents of this statement. Please read this statement carefully and contact us if you have any questions.

## Who are we?

Family Fund is the working name of Family Fund Trust, a charity with the aim of helping families with disabled or seriously ill children to have choices and the opportunity to enjoy ordinary life.

## Purpose of this statement

Family Fund is committed to ensuring that all personal data we hold is treated properly and in accordance with applicable data protection legislation. In accordance with this legislation, we are required to explain what we will do with any data that we collect about you during the provision of our services to you.

## The highlights (or what you need to know)

- we need to process your personal data but will always keep it safe.
- we do not always need your consent to process your information.
- we may need to share your information with third parties who will provide a grant or service to you.
- you need to inform or get permission from all people / individuals named in the application.
- if your grant is successful, we would like to inform you of additional awards for which you may be eligible.
- we will only keep your data for as long as necessary.

## Responsibilities

We are the Data Controller of the personal data we process for the majority of grant schemes we operate, and therefore are responsible for ensuring our systems, processes, suppliers and employees comply with applicable Data Protection legislation. Our registration number with the Information Commissioner's Office is Z5314842.

For grants awarded in England under contract with the Department for Education (DfE) we are a Data Processor and the DfE is the Data Controller. You will receive a copy of their Privacy Policy and Family Fund will confirm this relationship if you are awarded a grant.

The DfE will, using their Legitimate Interests, share your data with Family Fund if there are other products and services which may benefit you. You will be provided with the option to opt-out of this during the application process.

We have a Data Protection Officer, who oversees compliance with Data Protection legislation and this statement, and provides guidance and advice as required. You can contact them using the information in "Our Details" section at the end of this document or by email to [dpo@familyfund.org.uk](mailto:dpo@familyfund.org.uk)

## Who does this statement apply to?

This statement applies to anybody who applies to us for a grant or service, or receives advice and support from us, regardless of the outcome of any decision-making processes.

## Why do we collect your personal data?

We collect your personal data in order to:

- assess and proceed with an application you have made to us;
- assess and understand your needs in respect of additional support.

Any individual or organisation collecting or processing personal data must have a lawful reason for doing so, as defined by the General Data Protection Regulations or GDPR: <https://ico.org.uk/your-data-matters/does-an-organisation-need-my-consent/>.

When you first apply for a grant we need your consent to process your details. However, once the application is accepted, regardless of outcome, we shall continue to process the request using our legitimate interest.

## What data do we collect about you when you apply to us for assistance?

When you apply to us for grants or support we need to assess your application against the eligibility criteria for the programmes that we manage as explained in our terms and conditions. To consider your application we ask for:

- personal data, such as names, addresses and dates of birth for you and any family members who we may need to speak to or who are relevant to your application. We need your personal data to progress your application or support your other service needs.
- special category data. This is sensitive personal information, directly from when you apply to us for assistance. For example, details of your child's disability and the level of support needed when carrying out day-to-day activities, and details of your financial circumstances. We will only use special category data about you, or others, for the specific purpose that you provide it.
- bank account details: These may be collected if we are considering you for a cash grant.
- Information about third party professionals: Where you permit us to do so we may also collect data from professionals linked to your child's healthcare, education, or social care.

We may also collect additional data from you when you:

- contact us using social media and messaging services like Facebook, WhatsApp, or Twitter. Your security settings might give us permission to access data from your accounts.
- contact us over the phone, by email, social media or by post in support of your application. Some calls to Family Fund are recorded.

We also have established a network of authorised healthcare professionals working in hospitals, hospices and other institutions that may refer you to us and will be able to help you complete an application for assistance from us whilst your child is receiving treatment or other support from those institutions. The referrer will make it clear to you what our terms and conditions and privacy notice states at that time and obtain your consent to submit your application to us on your behalf.

Any other data that you submit to us (including, but not limited to, information provided via our website and information submitted in connection with fundraising and volunteering activities carried out by you) will be processed in accordance with our general Privacy Policy, a copy of which can be accessed via [www.familyfund.org.uk/privacy-notice](http://www.familyfund.org.uk/privacy-notice)

### **How do we use the data that you provide to us in applying for grants or support?**

We will use the data described above (whether received directly from you, from referrers, from third parties you have permitted us to speak to or from our Assessors) as appropriate to understand whether:

- your child meets the requirements of our disability policy; and
- whether you and your family circumstances meet specific criteria associated with the provision of those grants and services; and, if so,
- how we can help you and best provide support to you.

If you provide sensitive personal information about you or others on an application form, online or verbally, we will consider that you will have given your explicit consent for to us to process this information. Of course, we will only use this for the purpose given, such as to discuss your application, but it will also apply to any subsequent grants or support services that we are able to provide within four years of the date we award you with assistance. We will further use your data where necessary for our legitimate interests as follows:

- in dealing with any enquiries and requests that you send to us.
- to inform you of the availability of additional grants and support that may be relevant to you, using our legitimate interest. .
- to remind you to redeem any grant that we have agreed to provide if it is near its expiry date.
- to generate anonymised evidence reports and summaries of our completed work for publication on our website, and performance data for inclusion in our annual report.
- responding to appeals or complaints.

- our own research purposes or for the legitimate research purposes established by organisations with which we are associated, including our Government funders.
- our own audit and assurance purposes and our continuous desire to improve our services.
- our own administrative purposes.

We will also use your personal data:

- to provide you with grants and support that you have requested or which we otherwise agree to provide to you; and
- where necessary, for the substantial public interest in us ensuring that we can effectively and efficiently administer our related funding agreements with Government and other funders.

### **Automated Processing and Decision Making**

Automated Processing is when data is processed by a computer system without manual input by a person.

Automated Decision Making is when a decision is made on a form of application by a computer system without manual review by a person.

Guidance on your rights relating to Automated Processing and Automated Decision Making may be found on the website of the ICO (data protection regulator for the UK): <https://ico.org.uk/for-the-public/your-rights-relating-to-decisions-being-made-about-you-without-human-involvement/>

Family Fund uses automated processing in our application process:

- to provide an indication of whether we believe you may be eligible for a grant award, and
- to identify which grant schemes may be applicable based on certain criteria (geographical location, medical condition, etc.).

As a decision is not made on an application in these processes, they are not considered Automated Decision Making. If the information you have provided in your application form and as supporting evidence passes our Automated Processing checks without needing any further verification, then an Automated Decision may be made to award a grant. Any grant applications made in subsequent years after a first grant is awarded may also be awarded by an Automated Decision. Family Fund does not decline applications via Automated Decision Making.

### **What third parties might we disclose your data to?**

Family Fund will share your data with suppliers who will provide grants or services to you, and Independent Assessors as described below. Other than this, we will not provide your data to third parties without your express consent. We do not sell personal data under any circumstances.

#### **(a) Independent Assessors and Referrers**

After you make an application, we may arrange for an Assessor to contact you for either a telephone interview or a visit. They will write a detailed report for us on your family circumstances including how your circumstances are affected by your child's condition.



The report will contain the sensitive data that you provide in the course of the interview and the Assessor's opinions on how this meets the criteria of the grant or service that you are applying for. The Assessors are contracted by us or by one of our service providers under a duty of confidentiality, with recognised qualifications or work experience and current or very recent experience of working with children with disabilities.

The Assessor will submit the report to us through our secure portal to be stored in our database.

Where you are referred using our established network of authorised healthcare professionals, it is unlikely that we would require an Assessor to do a report.

## **(b) Research**

We may look to obtain data for our reporting by sending you a link to a survey. Participation in a survey is optional and you can choose whether or not to take part. If you never want to be contacted about taking part in surveys, you can opt out by writing to the Family Contact Team in the "Our Details" section at the end of this document, or by emailing us at [preferences@familyfund.org.uk](mailto:preferences@familyfund.org.uk).

We will use our legitimate interests to make this contact with you.

Please note any such reports and summaries will contain general information on trends and/or issues and will not identify you.

On occasion we may provide your contact details to a trusted research organisation conducting research on our behalf. If you're contacted for research purposes and you don't want to be involved, you can say that you don't want to be contacted again as set out above.

We may contact you to ask you if you would like to provide a case study or tell your story so we can report the impact of what we do to our funders. If you are happy to do this we will only use the data that you provide with your explicit consent.

## **(c) To Check your Identity**

As part of our counter-fraud controls, we will conduct an identity check once you have submitted your application. We will complete this check using our legitimate interest.

## **(d) Various others**

- where you permit us to do so we may share data with third party professionals linked to your child's healthcare, education, or social care.
- government departments and other funders where there is an obligation to report on grant funding activity. This will only be where necessary for the substantial public interest in us ensuring that we comply with our related funding agreement and will be pseudonymised where possible; and
- any third party which is involved in the provision of the assistance we are providing to or procuring for you.

If you receive goods or services from us we will pass data about you to our relevant supplier(s) so that they can provide you with these goods or services and any associated services.

We will provide our quality assurance assessors with your contact and order details, under a duty of confidentiality, so that they can monitor the performance of, and your satisfaction with, our suppliers. A list of suppliers and quality assurance assessors is available by writing to our address for correspondence (as shown at the beginning of this Statement) with details of your request.

We may also share personal data about you:

- with third parties who are directly involved in dealing with any request, enquiry or correspondence submitted by you;
- with third parties who are providing us with professional advice and support where necessary for our legitimate interests in obtaining such advice or support;
- where we are legally required to do so;
- where we believe there to be a safeguarding concern;
- in connection with criminal investigations, legal proceedings or prospective legal proceedings where necessary for our legitimate interests and permitted by law; and
- where necessary for our legitimate interests in establishing, exercising or defending our legal rights (including providing data to others for the purposes of fraud prevention) and permitted by law.

Where we engage third parties to process data on our behalf, data is only shared for the purpose of the third party providing services on our behalf.

For financial and technical reasons we may, on occasion, decide to use the services of a supplier outside the United Kingdom (UK), which means that your personal data is transferred, processed and stored outside the UK. For example, we may use third party software for our 'contact us' forms, or for surveys that we do. We take steps to ensure that these organisations have in place suitable technical and organisational safeguards through the agreements we hold and through the use of International Data Transfer Agreements (IDTAs) where necessary.

In the event that you provide us with feedback regarding our activities, we may disclose that feedback to those of our suppliers who are involved in those activities.

## **Third party websites and services**

If we signpost you to another website, or you register to attend an event managed by a third party, you need to ask how they will process your personal data as we can no longer guarantee the safety of your personal information.

## **How long do we keep your data for?**

- we keep the data we hold about you for as long as we need it for the purpose we collected it.
- when we no longer need your information, we shall remove all references to your family and securely destroy it.
- a copy of our data retention policy is available from us upon request.

Where possible we will keep your record accurate and up-to-date, but to help us achieve this you need to keep us informed of any changes to your circumstances.

Should you perceive the changes to your circumstances as being particularly sensitive you must take extra care with how you notify us of those changes.

If you have subscribed to, or are receiving a copy of, our newsletter, we shall continue to send you information unless you withdraw consent.

## Your choices and rights you have in respect of your personal data

### (a) Your choices

Where we are processing your data on the basis that we have your consent, you can withdraw your consent at any time. This can be done by emailing us at [preferences@familyfund.org.uk](mailto:preferences@familyfund.org.uk) or writing to the Family Contact Team at our registered address in the 'Our Details' section at the end of this document. Any such withdrawal will not affect the lawfulness of our processing based on your consent before you withdrew it.

Please note that if you withdraw your consent to us processing your personal data for any of the purposes described above, this may result in us being unable to carry out a relevant action or provide you with any related feedback or response.

If you withdraw your consent to us processing your data in connection with an application for grants or support, we will be unable to consider your application any further.

### (b) Your rights

You have a legal right to see a copy of the personal data that we keep about you and to require us to correct any inaccuracies, subject to certain exemptions. In some circumstances you may also have the right to:

- request that we erase any personal data held about you;
- restrict our processing of your personal data (for example to ask to suspend the processing of personal data to establish its accuracy or the reasons for processing it);
- data portability (i.e. to request the transfer of personal data to a third party); and
- object to our processing of your personal data.

Requests in respect of the above may be made by writing to the Data Protection Officer at the address in the Our Details section at the end of this document, or by emailing [dpo@familyfund.org.uk](mailto:dpo@familyfund.org.uk). Please also contact us if you have any reason to believe that data we hold about you is inaccurate.

When you make a request:

- we will respond to your request as soon as possible and within any legal timeframes.
- we may request proof of your identity before complying with any request.
- you will not generally have to pay a fee to exercise any of your rights.

## Security of your data

We endeavour to keep all data safe by taking all reasonable precautions to protect data from misuse, loss and unauthorised access, modification or disclosure.

## How will you know if we make any changes to this data protection statement?

We may amend this statement from time to time. If we make any changes to the way in which we use your personal data, we will notify you by writing to you or by sending you an email. We will also post a notice on our website.

You can view the current version of our Terms and Conditions and Data Protection Statement on our website at [www.familyfund.org.uk/terms-conditions](http://www.familyfund.org.uk/terms-conditions)

We also provide a Privacy Notice on our website – this will also be updated with relevant changes as they are made. This is available at: [www.familyfund.org.uk/privacy-notice](http://www.familyfund.org.uk/privacy-notice).

## Contact and feedback

If you have any queries or wish to raise a complaint on how we have handled your personal data, write to our Data Protection Officer at our registered address in the Our Details section below or email [dpo@familyfund.org.uk](mailto:dpo@familyfund.org.uk)

If, at any time, you are not satisfied with our response or believe we are processing your personal data not in accordance with the law, you have the right to lodge a complaint with the Information Commissioner's Office. Information on this may be found at [www.ico.org.uk/make-a-complaint/](http://www.ico.org.uk/make-a-complaint/)

## Our details

Family Fund is a working name for Family Fund Trust, a charity registered in England under registered charity number 1053866, Scottish Charity no. SCO40810, and a company limited by guarantee in England under registered company number 3166627. Our registered office is at Unit 4, Alpha Court, Monks Cross Drive, Huntington, York, North Yorkshire, YO32 9WN, United Kingdom. Family Fund Trust is authorised and regulated by the Financial Conduct Authority (FCA) under reference number 912508.

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

[www.familyfund.org.uk](http://www.familyfund.org.uk)