

# Hospital Referrer Terms & Conditions and Data Protection Statement

## for the Hospital Application Service



**Family Fund**

Helping disabled children



Please read the statements including the Terms & Conditions and Data Protection Statement of the Hospital Application Service. If all the statements are accurate, please signify that you understand that you will be subject to these Terms & Conditions (including the Data Protection Statement) by registering with Family Fund as an 'Hospital Referrer' and submitting applications on behalf of families who receive the help of the organisation that you are authorised to represent. If you have any questions, please raise them by emailing [hospitalreferral@familyfund.org.uk](mailto:hospitalreferral@familyfund.org.uk), or by telephoning 01904 550804.

To be eligible to be registered to submit applications on behalf of families to the Hospital Application Service, I am:

- working in a professional capacity for an organisation which helps children and/or families likely to access this programme.
- adhering strictly to the Safeguarding and Data Protection Policies of the organisation.
- authorised by the organisation which I represent to submit applications on a family's behalf.

Family Fund reserves the right to withdraw access to the Hospital Application Service for anyone knowingly submitting an application form with false or misleading information, in order to enable a family to receive a grant to which they otherwise would not be entitled. Family Fund has discretion to decline a request to register a third party. Family Fund reserves the right to withdraw access to the service from a third party who fails to follow the correct Hospital Application Service process as set out in the Hospital Application Service guidelines.

Family Fund will always investigate any allegations of fraud and will prosecute if there is sufficient evidence to show that fraud has been committed.

Family Fund will determine if an application falls outside of our Hospital Application Service criteria. These will be declined and a standard application pack will be sent to the family's home address.

Family Fund reserves the right to request additional information at its discretion. I understand and ensure I will communicate to families that:

- the decision to award a grant is discretionary and subject to funding
- there is no entitlement to a grant and all cases are assessed on an individual basis

By completing a Hospital Application Service application form, you are agreeing to process and handle data in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 (DPA18), and associated legislation and you indemnify Family Fund against all claims, damages, losses, demands, costs and expenses arising from any failure to comply with the terms and conditions using this service.

Where applications are made in England and processed under the Supporting Families with Disabled Children programme (SFDC), which Family Fund manage on behalf of the Department for Education. The Department for Education is the Data Controller. Family Fund and you are Data Processors. For all other applications Family Fund will be the Data Controller and you will be a Data Processor.

**Terms & Conditions - You must acknowledge the statements below before your registration is processed and when each family application is processed.**

### I declare as follows:

The information provided by me as the Referrer is accurate and up to date and not misleading. I have authority to act for the organisation that I associate with on my registration and will obtain explicit consent at the point of submitting each application from the family as required by the Hospital Application Service Guidelines and as set out in the separate "UK GDPR agreement for Referrers to the Hospital Application Service" between me and Family Fund. In doing so I will ensure the family has been provided with a copy of "Family Fund Application for Grants, Support or Other Assistance Terms & Conditions and Data Protection Statement" and has been given the opportunity to read them prior to submitting the application on their behalf.

I will be bound by these "Hospital Referrer Terms & Conditions and Data Protection Statement for the Hospital Application Service". I acknowledge that Family Fund will collect and use my personal information as set out in the Data Protection Statement.

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 as soon as those changes in circumstances occur. This includes circumstances where I undertake employment or become an agent of a new organisation.

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.

By registering as an Hospital Referrer and by submitting applications on behalf of families I confirm that I have read, understood and agree to be bound by the Terms & Conditions set out above. I will also, by doing so, be providing consent for my personal information being processed for the purposes of the Programme by Family Fund 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 for Hospital Referrers



We need to collect information about you, in order to process your application for registration as a Hospital Referrer for the Hospital Application Service and to receive applications that you submit to Family Fund on a family's behalf thereafter. The Family Fund Data Protection Statement ("this Statement") explains what information we collect from Hospital Referrers in respect of the Service, how your information will be used, how long we keep it for and what you need to do if you wish to see what information we hold about you. By registering for the scheme and each time you submit the application form for the Service to us you are acknowledging the contents of this Statement.

### Who are we?

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

### Purpose of this Statement

Family Fund are 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 to you what we will do with any data that we collect about you during the provision of our services to you.

Some information about how we handle data submitted to us:

- We need to process your personal data and the personal data of families, but will always keep it safe.
- We do not always need your consent to process your information.
- We may need to share family data with third parties who will provide a grant or service.
- You need to inform or get permission from all people / individuals named in the application.
- We will only keep your data for as long as necessary

### Responsibilities

We 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.

### Who does this Statement apply to?

This Statement applies to anybody who applies to anyone who registers to be a Referrer under our Hospital Referrer Service.

### What information do we collect if you apply to us to be an Hospital Referrer under the Service?

When you apply to us to register as a Hospital Referrer we need to assess your application against our eligibility criteria as explained in our Terms and Conditions. So to consider your application we may obtain personal information such as your name, place of work, contact information and details about your role in the organisation that you represent.

### How do we use the information that you provide to us in administering the Service?

We will use the information described above as appropriate to understand whether:

- You meet specific criteria associated with the provision of the Service and, if so,
- How we can help you and best support your role in administering the Service.

If you register with us as a Hospital Referrer and submit applications to us on behalf of families we will be using your personal information in our legitimate interest for the above purposes.

We will use your information in accordance with our legitimate interests to manage our relationship with you and so you can administer grant applications on behalf of your family including:

- Informing you at all stages as to the progress of applications by your families.
- Liaising with you and our suppliers, as required, in fulfilment or payment of the grant should your family's application be successful.
- Requiring assistance in obtaining feedback from the families that you apply on behalf of to help us report to Funders the impact the grants are having.
- Requiring assistance in improving our service. We may do this by sending you a link to a survey. You do not have to complete the survey and can opt out of this communication using the details provided in Your Choices below.
- Keeping your details up to date as appropriate

Family Fund will also use the information in accordance with our legitimate interests for:

- Our own research purposes (or for the legitimate research purposes established by organisations which we are associated with, including organisations for whom we administer funds). Please note that any such research reports will contain general information on trends and/or issues and will not identify you.
- Our own audit and assurance purposes and our continuous desire to improve our services. For example to prevent and detect fraud and misuse and to ensure that our grant processing activities are carried out to a high standard and continuously improved.
- Our own administrative purposes. For example keeping our business systems and records up to date.

Family Fund will also use your personal information:

- To provide you with support in delivering the service that you have registered for.
- Where necessary for the substantial public interest in us ensuring that we can effectively and efficiently administer our related funding agreements.

### Third Party Websites and Services

If we signpost you to another website, or you register to attend an event managed by a third party, we would not be responsible for how they handle your data, and recommend you read their privacy notice where available.

### 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 you and the family you made an application for, 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 in your role and circumstances.

Should you perceive the changes in circumstance for you or the family you made an application for 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. You can withdraw consent at any time.

### Why do we collect your personal data?

We collect your personal data in order to:

- Assess and proceed with your application to be a referrer

Any individual or organisation collecting or processing personal data must have a lawful reason for doing so, as defined by the UK GDPR.

When you first apply to be a referrer 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.

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

### A) Your choices

You have a choice about being contacted by us for the following purposes. If you provide us with your consent to do so we will contact you by email, post and/or telephone from time to time as follows:

- To send you our newsletter.
- To promote our Fundraising and Volunteering activities
- To make you aware of and allow you to contribute to campaigns being run by the Charity or its trusted third parties.
- To share your contact information with our trading subsidiary Family Fund Business Services so they can make you aware of their activities and promote their goods and services.

Where we are processing your data on the basis that we have your consent, you can withdraw your consent at any time (for example, if you no longer want to receive further contact from us in respect of fundraising). This can be done by emailing us at [hospitalreferral@familyfund.org.uk](mailto:hospitalreferral@familyfund.org.uk), writing to Authorised Hospital Referrers, using the information in "Our Details", or clicking on the appropriate link of any related email. 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 information 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.

### 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).
- Object to our processing of your personal data.

Requests in respect of the above may be made in writing, verbally, or through electronic communication. Please also contact us if you have any reason to believe that data we hold about you is inaccurate. See our Privacy Policy: <https://www.familyfund.org.uk/privacy-notice/>

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.

## To whom will we disclose your personal information?

As well as disclosing information about you in connection with requests of the nature referred to in the section "How do we use the information that you provide to us in administering the Service?" we may disclose information about you to:

- The organisations which provide us with funding (where necessary for the substantial public interest in us ensuring that we can effectively and efficiently administer our related funding agreements); and
- Any third party which is involved in the provision of the assistance we are providing in relation to the applications submitted by you on behalf of the families. For example, if you are involved directly in helping a family receive goods or services from us we will pass information about you to our relevant supplier(s) so that they can provide you with the information that you need to administer the supply to the family. A list of suppliers is available by writing with details of your request.

We may also share personal information about you:

- a) With third parties who are directly involved in dealing with any request, enquiry or correspondence submitted by you;
- b) With third parties who are providing us with professional advice and support where necessary for our legitimate interests in obtaining such advice or support;
- c) Where we are legally required to do so;
- d) In connection with criminal investigations, legal proceedings or prospective legal proceedings where necessary for our legitimate interests and permitted by law;
- e) Where necessary for our legitimate interests in establishing, exercising or defending our legal rights (including providing information to others for the purposes of fraud prevention) and permitted by law; and
- f) Where we state or inform you otherwise (for example, in this policy or on our Website).

Where we engage third parties to process data on our behalf information 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 European Economic Area (EEA). For example we may use third party software for 'contact us' forms, management of our social media accounts, email management, and for surveys that we do. We take steps to ensure that these organisations have in place suitable technical and organisational safeguards.

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.

Information about you may be obtained from/disclosed to relevant bodies to assist in the detection and prevention of fraud.

## AI and your data

Artificial Intelligence (AI) is a collective name for any system which allows a computer to simulate human problem-solving or creative abilities. This is often paired with a Large Language Model (LLM) – an algorithm or set of rules a computer follows to produce text which sounds more "human".

Family Fund uses AI and LLMs to review and improve processes, as well as to generate some media content. AI may also be used in some automated processing involving your personal data, such as document management or updating workflows.

Whilst AI and LLMs may access systems which contain personal data, they are not currently used for our decision-making processes.

## 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.

You can view the current version of our Hospital Referrer Terms and Conditions and Data Protection Statement on our website.

## Contact and Feedback

We have a Data Protection Officer who oversees compliance with Data Protection legislation and this Statement, and provides guidance and advice as required. If you have queries, or wish to raise a complaint on how we have handled your personal data, please contact the Data Protection Officer at the address in the Our Details section of this document, or by email at [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 of 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 3, Alpha Court, Monks Cross Drive, Huntington, York, North Yorkshire, YO32 9WN, United Kingdom.

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