



The Hugs Foundation Customer Privacy Notice

Classification: Public

Version: 1.0

Publish Date: 01 March 2023

Document Information	
Business Category:	Sales, Marketing, Business Development, Legal and Compliance
Policy Sponsor:	Nathan Heyes
Policy Approver:	Linn Boo
Policy Owner:	Laura Dennis
Policy Author:	Boo Consulting Limited™
Review Period:	Annual
Issue Date:	01 March 2023
Next Review:	01 March 2024
Document Name:	Customer Privacy Notice
Document Version:	1.0
Document Class:	Policy
Document Classification	Public
Distribution	
✓	Customers
Date	Updates
28 February 2023	Draft
28 February 2023	Quality Assurance
01 March 2023	Approved

1. Introduction

The Hugs Foundation is committed to respecting your privacy. This policy explains how The Hugs Foundation may use personal information we collect before, during and after your relationship with us as a customer. This notice explains how The Hugs Foundation complies with the law on data protection and what your rights are. For the purposes of data protection, The Hugs Foundation will be the data controller of any of your personal information as defined in Article 4(7) of UK GDPR.

This notice applies to our current and former customers. This policy does not form part of any contract.

References to “we,” “our” or “us” in this privacy policy are to The Hugs Foundation of The Hugs Foundation Higher Whitely Farm, Helland Road, Bodmin, Cornwall, PL31 2NT.

Our Data Protection Lead oversees our compliance with data protection legislation. Contact details are in the “Contacting Us” in section 11.

2. In this notice

- [How do we get your information](#)
- [What personal data we process and why](#)
- [Lawful basis for processing your personal data](#)
- [How long we keep your personal data](#)
- [Data sharing](#)
- [Do we use any data processors](#)
- [Your rights in relation to this processing](#)
- [Transfers of personal data](#)
- [Further information](#)

3. Personal and Special Category Data

When you interact with The Hugs Foundation in relation to your relationship with us as a customer, you may provide us with, or we may obtain, personal data about you. This may include, but is not limited to:

- Contact details such as: name, address, telephone number, email address, title.
- Place of work or employment
- Your business or company bank account or other payment details

We may also, in some cases, process special category (sensitive) data about you. The special category data we collect may include, but is not limited to:

- Disability information
- Information about health conditions

4. Where We Collect your Data

The Hugs Foundation typically collect personal data about customers through the sales and marketing process, either directly from customers or sometimes from their employer. We may sometimes collect additional information from third parties including online business directories.

If you are providing us with details of your employees, they have a right to know and to be aware of what personal information we hold about them, how we collect it, how we use it and how we may share that information. Please share this policy with those of them whom you feel are sufficiently mature to understand it. They also have the same rights as set out in the “Your rights in relation to personal information” section below.

5. Uses Made of Your Personal Data

The tables below describe the main purposes for which we process your personal data, the categories of your information involved and our lawful basis for being able to do this.

Non-Special-Category Personal Data		
Purpose	Personal Information Used	Lawful Basis
To negotiate with you to enter a contract as a customer with us	Name, business or personal address, business or personal email, business or personal telephone, title	Contract
To communicate with you as one of our customers	Name, business or personal address, business or personal email, business or personal telephone, title	Contract
To send you marketing communications as a customer or potential customer	Name, business or personal address, business or personal email, business or personal telephone, title	Consent or Legitimate Interest
To fulfil our obligations to you as one of our customers in relation to your contract with us	Name, business or personal address, business or personal email, business or personal telephone, title, payment details	Contract

Special-Category Personal Data		
Purpose	Personal Information Used	Lawful Basis – Condition – Legal Reason
To provide you with a safe environment of which to access our services and to make any reasonable adjustments when you visit our site	Information about any disabilities	Legitimate Interest – Article 9(2)(h) UK GDPR Sch.1 Pt.1 Para.2(2)(a, d & f) Data Protection Act 2018
To better understand your needs and tailor our services to give you more benefit from them	Information about any health conditions	Legitimate Interest – Article 9(2)(h) UK GDPR Sch.1 Pt.1 Para.2(2)(a, d & f) Data Protection Act 2018

6. Lawful basis for processing your personal data.

Depending on the processing activity, we rely on the following lawful basis for processing your personal data under the GDPR:

- Article 6(1)(a) we have your explicit consent.
- Article 6(1)(b) which relates to processing necessary for the performance of a contract.
- Article 6(1)(d) in order to protect your vital interests or those of another person.
- Article 6(1)(f) for the purposes of our legitimate interest.

For some of your personal information you will have a legal, contractual, or other, requirement or obligation to provide us with your personal information. If you do not provide us with the requested personal information, we may not be able to properly perform our contract with you or comply with legal obligations and we may have to terminate our contract. For other personal information you may not be under an obligation to provide it to us, but if you do not provide it then we may not be able to properly perform our contract with you.

Where you have given us your consent to use your personal information in a particular manner, you have the right to withdraw this consent at any time, which you may do by contacting us as described in the "Contacting us" section 1.12 below.

Please note however that the withdrawal of your consent will not affect any use of the data made before you withdrew your consent, and we may still be entitled to hold and process the relevant personal information to the extent that we are entitled to do so on bases other than your consent. Withdrawing consent may also have the same effects as not providing the information in the first place, for example we may no longer be able to provide certain services to you.

Where we process your Special Category Personal Data, we must have a lawful basis (see above), a condition of processing, and a legal reason. The conditions for processing can be found in Article 9 UK GDPR, and the legal reasons to support these are found in Schedule 1 Data Protection Act 2018.

7. How long we keep your personal data?

For information about how long we hold your personal data, see our retention schedule.

8. Disclosure of your Personal Data

In some circumstances, such as under a court order, we are legally obliged to share information. We may also share information about you with third parties including government agencies and external auditors. For example, we may share information

about you with HMRC for the purposes of financial reporting.

9. Do we use any data processors?

Yes - a list of our current data processors can be found at [Annex A](#).

10. International Transfers

Most personal data collected by The Hugs Foundation remains in the UK, and therefore we are not required to have additional transfer safeguards in place. However, some data, for marketing lead generation, is sent to the USA.

Where data is sent to the USA, we have taken several steps, including entering into an International Data Transfer Agreement with the data processor we use, to ensure the safety and security of the personal data being transferred.

11. Your rights in relation to this processing

As an individual you have certain rights regarding our processing of your personal data, including a right to lodge a complaint with the Information Commissioner as the relevant supervisory authority.

For more information on your rights, please see 'Your rights as an individual'.

Right of Access: You have the right to obtain confirmation from The Hugs Foundation as to whether personal data concerning you are being processed and, where that is the case, access to that data.

Right to Rectification: You have the right to oblige The Hugs Foundation to rectify inaccurate personal data concerning you. Considering the purposes of the processing, you have the right to have incomplete personal data completed by providing a supplementary statement.

Right to Erasure (Right to be Forgotten): You have the right (under certain circumstances, but not all) to oblige The Hugs Foundation to erase personal data concerning you.

Right to Restriction of Processing: You have the right (under certain circumstances, but not all) to oblige The Hugs Foundation to restrict processing of your personal data. For example, you may request this if you are contesting the accuracy of personal data held about you.

Right to Data Portability: You have the right (under certain circumstances, but not all) to oblige The Hugs Foundation to provide you with the personal data about you which you have provided to The Hugs Foundation in a structured, commonly used, and machine-readable format.

You also have a right to oblige The Hugs Foundation to transmit those data to another controller.

Right to Withdraw Consent: If the lawful basis for processing is consent, you have the right to withdraw that consent.

Right to Object to Direct Marketing: Where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for marketing, which includes profiling to the extent that it is related to such direct marketing.

Rights in Relation to Automated Decision-Making and Profiling: The Hugs Foundation does not perform any automated decision-making based on personal data that produces legal effects or similarly affects you.

You should note that some of these rights, for example the right to require us to transfer your data to another service provider or the right to object to automated decision making, may not apply as they have specific requirements and exemptions which apply to them, and they may not apply to personal information recorded and stored by us. For example, we do not use automated decision making in relation to your personal data. However, some have no conditions attached, so your right to withdraw consent or object to processing for direct marketing are absolute rights.

Queries and Complaints

If you wish to exercise any of your rights concerning your personal data, you should contact The Hugs Foundation's Data Protection Officer at dpo@hugsfoundation.org.uk.

If you have any questions relating to your rights, please contact us on admin@hugsfoundation.co.uk

If you are not satisfied with the response you receive, you have the right to lodge a complaint with the supervisory authority. In the United Kingdom this is Information Commissioner's Office:

Information Commissioner's Office	
Wycliffe House Water Lane Wilmslow Cheshire	Telephone: 0303 123 1113 Email: casework@ico.org.uk Web: https://ico.org.uk/for-the-public/

12. Annex A – Data Processors

Data processors are third parties who provide certain parts of our staff services for us. We have contracts in place with them and they cannot do anything with your personal information unless we have instructed them to do so. Our current data processors are listed below.

Data Processor	Purpose	Privacy Notice
Beacon	Database of customers, leads and contacts	Beacon Privacy Notice
Saitech UK Limited	Provider of our managed IT service for our IT infrastructure	Saitech Privacy Notice
Care2	Provider used to generate email marketing leads	Care2 Privacy Notice
Crowdfunder UK	Provider of fundraising services and support	Crowdfunder Privacy Notice