



Terms and Conditions & Data Protection Statement

Please read our Terms and Conditions and Data Protection Statement carefully. Only when you have understood and agree to be bound by our Terms and Conditions and Data Protection Statement should you complete and submit your application. Please note that unless we have your agreement we are unable to process your application.

TERMS AND CONDITIONS

To be eligible for holidays from Torbay Holiday Helpers Network (“THHN”) referred families must meet the THHN “Family Criteria”. A copy of the “Family Criteria” can be obtained by telephoning 01803 325152, or emailing enquiries@thhn.co.uk or alternatively viewed on our website at <http://www.thhn.co.uk/criteria>.

All applications for THHN holidays or grants must be endorsed and referred to us by a registered charity support worker, NHS medical professional, or social worker.

THHN holidays and grants are only available to UK resident families. To qualify a family must have a UK postal address and each family member must have been living in the UK for the past 6 months.

All help and assistance from THHN is discretionary and subject to funding and the services donated by supporters from time to time. THHN provide a welcome pack at the start of a holiday which explains in detail what services and experiences will be made available free of charge. There is no entitlement to a grant and all cases are assessed on an individual basis. THHN will not be liable to any person as a result of any delay or failure to perform any obligation it undertakes which arises in any way from an event beyond its reasonable control.

Holidays are intended for immediate family members only; however single-parent families may bring another family member, carer or friend to help. Grandparents maybe able to come in larger self-catering establishments; however this is strictly at the accommodation provider’s discretion.



DECLARATION

THHN will only be able to process your application if you agree to the following declaration.

In return for THHN considering my family's application I declare as follows:-

- The information provided by me to THHN, whether on the application forms, by phone, or otherwise is accurate and not misleading.
- I have read and agree to THHN's Data Protection Statement, Data Protection Policy and Privacy Policy. I confirm that I am the parent or guardian of each family member who is under 18 and referred to in the application form. I consent on behalf of myself and each person referred to in the application form about whom THHN processes personal information in connection with the application, to THHN's collection and use of personal information as set out in the Data Protection Statement.
- I am authorised to give such consent on behalf of each person referred to in the application form.
- I confirm on behalf of myself and each person referred to in the application form that we are UK residents.
- I confirm that I have read and understood THHN's "Family Criteria" and I understand that to be eligible for help and assistance from THHN my family must meet that criteria.
- I understand that help and assistance from THHN is discretionary and subject to funding and the services donated to THHN. There is no entitlement to a grant and all cases are assessed on an individual basis.
- I agree to use THHN grants for the purpose given.
- I understand that grants will be paid directly into my or my nominated person's bank account subject to that person's agreement.
- I agree to acquire and retain receipts for purchases made using money from THHN grants and will send all receipts to THHN on their request.
- I understand that THHN 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 to notify THHN immediately if my family and I are unable to accept a holiday offer or if we need to cancel a booked holiday.
- I agree that these Terms and Conditions, Declaration and Data Protection Statement shall be governed by and construed in accordance with the law of England and Wales and that the courts of England and Wales shall have exclusive jurisdiction to hear any disputes between us.
- By signing the application form, I confirm that I have read and understood and that I agree and each person referred to in the application form agrees to be bound by the Terms and Conditions set out above, and the Data Protection Statement.



Data Protection Statement

INTRODUCTION

So that THHN can process your application we require information about you and your family. This Data Protection Statement sets out the basis upon which any personal information collected from you and your family, or that you provide to us, will be processed.

By signing the application form you agree to the THHN processing your data as set out in this statement.

THHN are committed to protecting and respecting your privacy. We will:

- Comply with the law in respect of the data we hold about you and your family; follow good practice;
- Respect your individual rights;
- Protect you and your family from the consequences of your personal data being misused or handled inappropriately;
- Be open, honest and transparent concerning the personal data we hold and its intended use;
- Provide our employees and volunteers who handle personal data with training and support so that they can act confidently and consistently.



The Data Protection Act 1998 (“the Act”)

In the United Kingdom the collection and use of personal data is primarily governed by the Data Protection Act 1998. The Act establishes a framework of rights and duties which are designed to safeguard individuals and their personal data. This framework balances the legitimate needs of organisations to collect and use personal data for business and other purposes against the rights of individuals to respect for the privacy of their personal details.

For your information and ease of reference we have included a glossary of key definitions relevant to the Act and the following paragraphs at the end of this document.

The Act requires that whenever an organisation processes personal data, it must comply with all eight Data Protection Principles, which ensure that personal data is:

- processed fairly and lawfully;
- processed for limited purposes and in an appropriate way;
- adequate, relevant and not excessive for the purpose;
- accurate;
- not kept longer than necessary for the purpose;
- processed in line with data subjects' rights;
- secure;
- not transferred to people or organisations situated in countries without adequate protection.

Two key objectives arise from the Act and the Data Protection Principles. First, is to ensure individuals are protected from the consequences of inappropriate or irresponsible use of their personal data; and second is to ensure respect is shown to the rights and concerns of individual's about the ways in which their personal data may be used.

WHO WE ARE

THHN (“We”) are registered as a Data Controller with the Information Commissioner and are committed to ensuring that all personal data we hold is treated properly and in accordance with the Data Protection Act 1998 (“the Act”).

We are a charity registered in England and Wales under registered charity number 1146245 and a company limited by guarantee in England and Wales under registered company number 07690157. Our registered office and address for correspondence is, Torbay Holiday Helpers Newtork, 16 Babbacombe Road, Torquay, Devon, TQ1 3SJ, United Kingdom.

We are the Data Controller under the Act in respect of the personal data to which this Data Protection Statement applies. We have notified the Office of the Information Commissioner of our data processing activities: registration number is Z3334852.



Information we collect from you

So that we can to assess whether THHN can offer help and assistance to you and your immediate family; and to ensure that any such service we provide is suitable to your needs and requirements, we do require the following information:

- Your and your immediate family member's names;
- A postal address, email address, telephone and mobile number;
- Details of any family holidays taken within the last 12 months or booked within the next 12 months. Please note that although we will endeavour to assist all families who meet our criteria and we aim to treat all applications fairly and consistently, our resources are limited and therefore priority will be given to those families who are less fortunate.
- Details of your family's circumstances, which must meet our "Family Criteria", and the reasons why you are applying;
- If you or any immediate family member has a special need/requirement which needs to be taken into consideration; this may include for example access for differing levels of mobility, special dietary requirements, aids or additional facilities for visual or hearing impairments. We want to ensure that any services we provide in particular any holiday accommodation, activities and experiences donated by our supporters are suitable to you and your family's requirements and will maximise your comfort and enjoyment.
- If you or any immediate family member has previously applied to THHN; whether you were offered and accepted a holiday and the details including dates of that holiday;
- Details of your family's financial circumstances and income. We require this information to assess whether your family falls within our funding constraints for the purposes of a grant.
- Details of your or your nominated person's bank account details when applying for a THHN grant. If successful, any grants awarded will be paid directly into your or your nominated person's bank account, subject to that person's agreement;
- Details of whether you have applied to any other charity or organisation for similar services or financial assistance.

We will use this information to ascertain whether THHN are able to provide you with a holiday and grant and for any other purposes set out in this Data Protection Statement. We will also use this information to ascertain which holidays, accommodation and services meet your specific requirements.



Information we obtain about you and your family from third parties

All applications for THHN holidays or grants must be endorsed and referred to us by a registered charity support worker, social worker, or NHS medical professional such as a GP or Hospital Consultant.

To help us decide if you and your family are eligible for a THHN holiday and financial assistance we may seek further information from the referring charity support worker, social worker or medical professional relating to your family's circumstances.

Disclosure of your information

In order to provide our services and to ensure any special needs/requirements are met, THHN may disclose information about you and your family to our donors and supporters. A full list of our supporters is available on our website <http://www.thhn.co.uk/supporters>, this will be updated from time to time.

As well as the above we may also disclose information about you and your family to the referring charity support worker, social worker, NHS medical professional or their respective organisations.

By submitting an application to us you consent to the disclosure of your personal data for these purposes.

Except as otherwise stated above and elsewhere in this Data Protection Statement, all of the information contained in completed application forms is private and confidential to the parties named in them and will not be disclosed to any third party unless we are legally obliged to do so.

Uses made of the information

We use the information held about you and your family in the following ways:-

- to assess whether you and your family are eligible for help and assistance from THHN;
- to ensure the services we provide, if eligible, are offered to you and your family in the most effective manner;
- to provide you with marketing information about our and our donors/supporters products, services and activities which you request from us, or which we feel may interest you.

Please note that you will only be contacted for such purposes where you and your family have given your consent, please see below.



- to produce leaflets and newsletters for our members, donors and supporters, these may contain from time to time images and personal data of families who have used our services. These may be published in hard copy or appear electronically on our website, or other social media. This allows us to publicly advertise the charitable work we undertake and the impact it has which we hope will encourage more businesses to support our scheme and will aid our fundraising. This in turn will enable THHN to its charitable work further by allowing us to assist more families.

Please note we never publish any image or personal data without first obtaining clear and informed consent from those concerned. We refer you to Section 9 of our Holiday Application Form headed Publicity Agreement.

Direct marketing

THHN will treat the following unsolicited direct communication with you as marketing:

- Seeking donations and other financial support;
- Promoting any THHN services;
- Promoting THHN Organisation events;
- Promoting membership to supporters;
- Promoting sponsored events and other fundraising exercises;
- Marketing the products of THHN Organisation Trading;
- Marketing on behalf of any other external company or voluntary organisation.

Unless you Opt-Out on our application forms or advise us otherwise, we shall assume that you are content for THHN and our donors/supporters to contact you by post, email, text message or telephone to let you know more about our and their products, services and activities.

If you respond to any third party, who contacts you, that third party rather than us will become the data controller of any information you provide to that third party and you should ask for details of how it will use that information.

Your rights

You have the right to ask us not to process your personal data for marketing purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your data. You can also exercise the right at any time by writing us at Torbay Holiday Helpers Network, 16 Babbacombe Road, Torquay, Devon, TQ1 3SJ, United Kingdom, or alternatively emailing enquiries@thhn.co.uk.



Data storage and retention

The information we collect from you and third parties is stored securely on a single computer database that is encrypted and password protected. Archived paper records are locked in secure cabinets at our registered office.

We keep the information we hold about you and your family for as long as is necessary for the purposes for which it was collected; and in any event for at least six years. We do this because in our experience the information is often relevant for any future applications you may make to us for assistance. We will use the information we have kept about you to process your application and deal with any queries, which arise during the application process.

Any personal data which is no longer relevant or required for the purposes set out in this Data Protection Statement will be destroyed confidentially.

Access to Information

The Act gives you the right to request access to all the information THHN holds about you and your family. All such requests must be made in writing, addressed to our nominated representative, Luke Tillen, at Torbay Holiday Helpers Network, 16 Babbacombe Road, Torquay, Devon, TQ1 3SJ, United Kingdom. Any access request may be subject to a fee of £10 to meet our costs in providing you with details of the information we hold about you and your family.

THHN holidays and grants

All help and assistance from THHN is discretionary and subject to funding and the services donated to THHN at the time of your application. There is no entitlement to a grant and all cases are assessed on an individual basis.

Our grants are solely for the purpose of assisting with the costs towards travelling expenses to, from and during your THHN holiday.

If we decide that we are able to give you a cash grant, we will usually pay the grant directly into your bank account. We will need your or your nominated person's bank account, sort code, the full name(s) of the account holder(s) and the bank's name and address. We will only use this information to pay the grant into your account. THHN will have access to this information once payment has been made, for administrative and audit purposes. If you make a further application for a grant in the future you will need to supply your banking information again.



Glossary of key definitions relating to the Data Protection Act 1998

“**Data**” is information which is stored electronically on a computer, or in certain paper-based filing systems.

“**Data controllers**” include any people or organisations which determine the purposes for which, and the manner in which, any personal data is processed. All obligations under the Act fall on the Data Controller and it is their responsibility to establish practices and policies in line with the Act.

“**Data processors**” include any person or organisation which processes personal data on behalf of a data controller.

“**Data subject**” is the individual whose personal data is being processed. All data subjects have legal rights in relation to their personal data.

“**Data users**” are employees (or volunteers) whose work involves using personal data. Data users have a duty to protect the information they handle.

“**Personal data**” means data relating to a living individual who can be identified from that data. Personal data can be factual or it can be an opinion.

“**Processing**” is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.

“**Sensitive personal data**” includes information about a person's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health or condition or sexual life, or about the commission of, or proceedings for, any offence committed or alleged to have been committed by that person, the disposal of such proceedings or the sentence of any court in such proceedings. Sensitive personal data can only be processed under strict conditions, and will usually require the express consent of the person concerned.