



Privacy Notice for Civil Claims

Who we are:

Action for Children is a leading children's charity. During the process of lodging a civil claim against Action for Children and group companies, (for ease of reference hereinafter called "the Company"), the Company will collect, use and hold ("process") your personal data. The Company is the data controller for this information you give us. Your personal data will be processed in accordance with the provisions of the Data Protection Act 2018 and other relevant privacy regulation. This notice is important and should be read by the person making the claim, or their representative if applicable, (in this notice referred to as "you", "the claimant" or "the data subject").

Why we will be using your information:

The Company has adopted the lawful basis for the purposes of processing civil claims information, to be a legitimate interest.

In the case of civil claims, the legitimate interest relates to both in the interest of the claimant; for the claim to be processed and of the Company to ascertain all the facts pertaining to the claim, to determine a stance on liability and to establish a defence to any potential legal proceedings.

Data submitted and retained for the purposes of civil claims for these legitimate interests balance the rights of the claimant and the Company.

Article 6(1) (F) of the General Data Protection Regulation (G.D.P.R.) states that data can be processed where such "processing is necessary for the purposes of the legitimate interest pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child". For civil claims where the claimant is under 16 years of age, the claimant's parent or legal guardian must act on their behalf as the claimant's nominated litigant friend. As litigant friend there is a duty to protect the rights and interests of the claimant.

What information we will be collecting:

The Insurance Team will gather the following information about you:

- Name and contact details
- National Insurance Number
- Date of Birth
- Photos (and if applicable video clips)
- Injury/Medical information (if applicable)
- Name and contact details of any other person included in the arrangement, e.g., litigant friend, witness

How we will use and share your information:

The data you provide will be processed in connection with your civil claim against the Company and for this purpose will be shared with the Company's insurers and legal advisors to facilitate standard claims handling. DPA 2018 Schedule 2 – Para 5(3).

The Insurance Team will not share your personal data with the wider organisation. The Company has a duty to protect the funds it receives and therefore may use the data you provide in connection with this claim, for the prevention and detection of fraud.

Subsequently the Company may also share your data with regulatory bodies responsible for auditing or administering charitable funds and may be required to share your information with the police.

How long we will keep your information:

We will only use your contribution for the agreed purposes. For this reason and for reasons which may arise as a result of a civil claim dispute, your personal data will be retained for 7 years following the closure of your claim.

Your information rights:

Whenever we process data for these purposes, we will ensure that we always keep your Personal Data rights in high regard and take account of these rights. Under the General Data Protection Regulations, (G.D.P.R.) you have:

- The right to be informed
- The right to access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- Rights in relation to automated decision making and profiling
- The right to object

If you would like to know more about these rights or you wish to raise a query with regards to how the Company manages the processing of your data in relation to civil claims, please contact the Insurance Team at insurance@actionforchildren.org.uk or our Data Protection Officer at dataprotection@actionforchildren.org.uk or Action for Children, 3 The Boulevard, Ascot Road, Watford, WD18 8AG.

If you are unhappy with our reply or want to find out more about data protection and your rights or to make a complaint, visit the Information Commissioner's Office: www.ico.org.uk or The Office of the Data Protection Authority (Guernsey): www.opda.gg. The ICO/ODPA does recommend you seek to resolve any issues with the data controller initially prior to any referral.

This Privacy Notice for Civil Claims may be updated from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.