

Privacy Policy – Royal Brisbane and Women’s Hospital Foundation

**Last updated: December 2023**

Royal Brisbane and Women’s Hospital Foundation (ABN 37 882 212 480) (**RBWHF, we, us and our**) respects your privacy and is committed to protecting it. We comply with the Australian Privacy Principles and the *Privacy Act 1988* (Cth) (**Privacy Act**), which govern the way private sector organisations collect, use, keep secure and disclose Personal Information or Personal Data.

The Privacy Act defines “Personal Information” to mean any information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent or can be reasonably ascertained, from the information or an opinion.

If you are a resident of the European Union or the United Kingdom, we are required to comply with the GDPR (as defined in **Section 11**) in relation to your Personal Data (as defined in **Section 11**).

If you have any concerns or complaints about the manner in which your Personal Information has been collected, used or disclosed by us, please contact us via the information set out in **Section 10** and we will endeavour to resolve your concern or answer your question.

We recommend that you keep this information for future reference.

## **1. The kinds of Personal Information collected, used and disclosed by RBWHF**

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We will only use or disclose your Personal Information for the primary purposes for which it was collected or as consented to by you. At or around the time we collect Personal Information from you, we will endeavour to provide you with a notice which details how we will use and disclose that specific information. We set out some common collection, use and disclosure instances in the table below.



Purpose	Type of Information	Uses	Disclosures
General enquiries (including online or telephone enquiries)	<ul style="list-style-type: none"> <li>• <b>Contact and identifying information:</b> Such as your name, company name, postal address, email address, phone and mobile number, date of birth, and any additional personal information you may voluntarily provide to us as part of your message.</li> </ul>	<p>The types of uses we will make of Personal Information collected for this type of purpose include:</p> <ul style="list-style-type: none"> <li>• <b>Identity verification:</b> if required, the verification of your identity.</li> <li>• <b>Services:</b> <ul style="list-style-type: none"> <li>- To provide our service functions, including responding to your enquiry, handling and providing feedback and updates, donation enquiries and complaints.</li> </ul> </li> <li>• <b>General administrative and security use:</b> <ul style="list-style-type: none"> <li>- To protect RBWHF's websites from security threats, fraud or other criminal activities.</li> <li>- The use for the administration and management of RBWHF, and to improve your experience in interacting with us.</li> <li>- .</li> <li>- For quality assurance purposes.</li> </ul> </li> </ul>	<p>The types of disclosures we will make of Personal Information collected for the type of purposes listed include, without limitation, to:</p> <ul style="list-style-type: none"> <li>• Parties who assist us in providing our services to you.</li> <li>• Royal Brisbane and Women's Hospital and other hospitals in the Queensland health system so that those parties can offer updates or other content or products and services that may be of interest</li> <li>• As required or authorised by law.</li> </ul>
Donations and fundraising	<ul style="list-style-type: none"> <li>• <b>Contact and identifying information:</b> <ul style="list-style-type: none"> <li>- Such as your name, date of birth, company name, postal address, email address, phone and mobile number.</li> <li>- Alternative Contact (name, address and phone number).</li> <li>- Past patient details, including contact and identifying information (including date of birth), along with hospital and ward details and other information you choose to provide as a part of your donation.</li> <li>- Your likeness in audio-visual media (including photographs, images, audio or video recordings).</li> </ul> </li> <li>• <b>Details of bequests in wills, as provided as part of your donation.</b></li> <li>• <b>Bank account, credit or debit card details.</b></li> <li>• <b>Any other information you elect to provide as a part of your donation.</b></li> </ul>	<p>The types of uses we will make of Personal Information collected for this type of purpose include:</p> <ul style="list-style-type: none"> <li>• <b>Administering RBWHF's donation and fundraising efforts:</b> <ul style="list-style-type: none"> <li>- Managing your application or registration and ticketing for fundraising activities or events;</li> <li>- Payment processing, including charging, refunds (if applicable), credit card authorisation and verification.</li> <li>- Receiving and administering your gift or bequest to the Foundation;</li> </ul> </li> <li>• <b>General administrative and security use</b> as detailed in the Uses column for "<i>General enquiries</i>", and for administering programs for RBWHF initiatives for legacy and in memoriam, past patients and alumni.</li> <li>• <b>Marketing:</b> using your Personal Information for the purposes set out in "<i>Marketing Services</i>" section below.</li> </ul>	<p>We may disclose this type of Personal Information to:</p> <ul style="list-style-type: none"> <li>• General public to recognise our supporters. For example, any person that visits the Royal Mums Honour Wall located at the Royal Brisbane and Women's Hospital and/or access the Virtual Honour Wall.</li> <li>• Royal Brisbane and Women's Hospital and other hospitals in the Queensland health system so that those parties can offer updates or other content or products and services that may be of interest.</li> <li>• Parties, such as external debt recovery agents, court or other entities to which we are required by law to disclose Personal Information.</li> <li>• Third party fundraisers who run events in support of the RBWH Foundation for the purpose of administering the event including managing your registration and ticketing.</li> </ul>

Purpose	Type of Information	Uses	Disclosures
Marketing Services	<ul style="list-style-type: none"> <li>• <b>Contact and identifying information:</b> Such as your name, email address, current postal and residential addresses, phone and mobile numbers (and, if applicable, age); credit or debit card details.</li> <li>• <b>Identifying information:</b> Your likeness in audio-visual media (including photographs, images, audio or video recordings).</li> <li>• <b>Social media activity:</b> Including “likes”, comments posted, any of your oppositions or feedback, photos posted or uploaded and other information pertaining to your social media activities which concern, or relate, to RBWHF.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>General marketing and consumer analytics:</b> using your Personal Information: <ul style="list-style-type: none"> <li>- To aggregate with other information and to then use it for general marketing and consumer analytics.</li> <li>- For our general advertising and promotions to the general public.</li> <li>- For the Uses detailed above in “<i>Online enquiries</i>”.</li> </ul> </li> <li>• <b>Direct marketing:</b> For Marketing and promotional activities by us (including by direct mail, telemarketing and email) such as our email alerts, awareness information and newsletters, including in relation to our fundraising activities and uses of grant or research funds, and providing updates to you on our events or information that may be of interest to you.</li> <li>• <b>Events and symposiums:</b> using your Personal Information to provide you with information regarding conferences, fundraising and donation opportunities which RBWHF organises.</li> <li>• <b>Raffles and competitions:</b> for promoting or administering donations and fundraising, and provision of prizes to winners.</li> <li>• <b>Surveys:</b> Fundraising analysis to improve donor experience</li> <li>• <b>Online accounts or social media:</b> If you create an account with RBWHF or participate in our social media platforms (such as Facebook, Twitter and LinkedIn) and you provide us your Personal Information, we will use it for: <ul style="list-style-type: none"> <li>- Adding account holders to the marketing database.</li> <li>- Donation and fundraising related activities.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• The parties listed in the Disclosure column for “<i>General enquiries</i>”, including payment providers who process your donation, gift or bequest to the Foundation.</li> <li>• Our legal advisors who assist us with receiving or administering your donation, gift or bequest.</li> </ul> <p>We may disclose your Personal Information to:</p> <ul style="list-style-type: none"> <li>• Any person that accesses or receives RBWHF’s publications or advertising material (in the context of donor stories in our newsletters or other publications).</li> <li>• General public as part of our social media, publicity or awareness campaigns (in the context of donor stories)</li> <li>• The parties listed in the Disclosure column for “<i>General enquiries</i>”.</li> </ul>

Purpose	Type of Information	Uses	Disclosures
Grants & Health and Research Engagement	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such as your name, email address, current postal and residential addresses, phone and mobile number.</li> <li>• <b>Background information:</b> Such as cultural/linguistic background (e.g. identification as First Nations Peoples)</li> <li>• <b>Identifying information:</b> Your likeness in audio-visual media (including photographs, images, audio or video recordings).</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>- Responding to social media messages.</li> <li>- Fulfilling social media platform rules.</li> <li>• <b>Distribution of grant or research funds:</b> <ul style="list-style-type: none"> <li>- To distribute funds or grants to research projects, and to communicate with granting or research bodies.</li> <li>- Monitoring research and providing updates on progress</li> <li>- To assess the eligibility or suitability of applicants in respect of research projects or grants</li> <li>- To prepare RBWHF's impact reports</li> </ul> </li> <li>• <b>Marketing:</b> using your Personal Information for the purposes set out in "Marketing Services" section above.</li> </ul>	<p>We may disclose your Personal Information to:</p> <ul style="list-style-type: none"> <li>• The parties listed in the Disclosure column for "Marketing services" and "General enquiries".</li> <li>• External funding or research bodies (including potential donors) who are interested in supporting improvements in RBWHF's patient care initiatives and research.</li> </ul>
Prospective Employment and contract work	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such name, e-mail address, current postal and residential address, phone numbers, country of residence, next of kin contact details.</li> <li>• <b>Employee record information</b></li> <li>• <b>Identifying information:</b> Such as your photo, passport and residency details, date of birth.</li> <li>• <b>CV, resume or application related information:</b> Such as the details provided in your resume or CV, your eligibility to work in Australia, your education, previous employment details, professional memberships or trade qualifications.</li> <li>• <b>Background check information:</b> Information obtained from you or third parties to perform background checks.</li> <li>• <b>Medical or health information</b> which you voluntarily provide to us as part of pre-employment medicals, random drug and alcohol testing or such other information which may be related to an incident which has occurred during the course of your employment.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Background checks:</b> Utilising the information collected for the purpose of assessing candidate suitability for role or contractor suitability for contract work, including by obtaining: <ul style="list-style-type: none"> <li>- Verification of your identity and age.</li> <li>- Criminal history background checks including publicly available information including Facebook, Twitter, Instagram, YouTube.</li> <li>- Confirmation of eligibility to work in Australia.</li> <li>- Confirmation of education and qualifications.</li> <li>- Confirmation of previous employment.</li> <li>- Consideration regarding medical leave.</li> </ul> </li> </ul>	<p>We may disclose your Personal Information to:</p> <ul style="list-style-type: none"> <li>• Third party referees provided by you in connection with an application made to RBWHF.</li> <li>• Recruitment agents used in connection with your application with us.</li> <li>• Third parties in connection with obtaining any background checks, pre-employment screening.</li> <li>• As required or authorised by law.</li> </ul>

Purpose	Type of Information	Uses	Disclosures
Volunteering	<ul style="list-style-type: none"> <li>• <b>Contact information:</b> Such as your name, email address, current postal and residential addresses, phone and mobile number</li> <li>• <b>Date of birth</b></li> <li>• <b>Identifying information:</b> Your likeness in audio-visual media (including photographs, images, audio or video recordings).</li> <li>• <b>CV, resume or application related information:</b> Such as the details provided in your resume or CV, your eligibility to work in Australia, your education, previous employment details, professional memberships or trade qualifications.</li> <li>• <b>Background check information:</b> Information obtained from you or third parties to perform background checks (if applicable).</li> <li>• <b>Security information:</b> Such as CCTV footage and photographs taken on our premises.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Management and administration:</b> utilising your Personal Information to manage your participation or potential participation or volunteering in a program that we operate or manage.</li> <li>• <b>Background checks:</b> Utilising the information collected for the purpose of assessing candidate suitability for role, including by obtaining: <ul style="list-style-type: none"> <li>- Verification of your identity and age.</li> <li>- Criminal history background checks which may include publicly available information including Facebook, Twitter, Instagram, YouTube.</li> <li>- Confirmation of eligibility to work in Australia.</li> <li>- Confirmation of education and qualifications.</li> </ul> </li> <li>• <b>Marketing:</b> Using your name and likeness for the purposes set out in “Marketing Services” section above .</li> </ul>	<p>We may disclose your Personal Information to:</p> <ul style="list-style-type: none"> <li>• Government agencies, including but not limited to Centrelink.</li> <li>• Third party referees provided by you in connection with a volunteering application made to RBWHF.</li> <li>• Service providers (including IT service providers), if any.</li> <li>• Third parties in connection with obtaining any background checks, or pre-volunteering screening.</li> <li>• The parties listed in the Disclosure column for “Marketing services”.</li> <li>• As required or authorised by law.</li> </ul>

## **2. How RBWHF collects and holds Personal Information**

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### **2.1 Collection generally**

As much as possible or unless provided otherwise in this Privacy Policy or a notification, we will collect your Personal Information directly from you (including via providers, such as telemarketing companies, marketing agencies and mail houses). When you engage in certain activities, such as filling out a survey or sending us feedback, we may ask you to provide certain information. It is completely optional for you to engage in these activities.

Depending upon the reason for requiring the information, some of the information we ask you to provide may be identified as mandatory or voluntary. If you do not provide the mandatory information or any other information we require in order for us to provide our services to you, we may be unable to provide our services to you in an effective manner, or at all.

### **2.2 Other collection types**

We may also collect Personal Information about you from other sources. Some examples of these alternative collection events are:

- (a) when we collect Personal Information about you from third parties; or
- (b) when we collect Personal Information about you from publicly available sources including but not limited to, court judgments, directorship and bankruptcy searches, Australia Post, White Pages directory, and social media platforms (such as Facebook, Twitter, Google, Instagram etc).

### **2.3 Notification of collection**

If we collect details about you from someone else, we will, whenever reasonably possible, make you aware that we have done this and why, unless special circumstances apply, including as described in this clause 2.3(a) to 2.3(c) below. Generally speaking, we will not tell you when we collect Personal Information about you in the following circumstances:

- (a) where information is collected from any personal referee you have listed on any application form (including any employment application) with RBWHF;
- (b) where information is collected from publicly available sources including but not limited to court judgments, directorship and bankruptcy searches, social media platforms (such as Facebook, Twitter, Google, Instagram etc); or
- (c) as otherwise required or authorised by law.

### **2.4 Unsolicited Personal Information**

In the event we collect Personal Information from you, or a third party, in circumstances where we have not requested or solicited that information (known as unsolicited information), and it is determined by RBWHF (in its absolute discretion) that the Personal Information is not required, we will destroy the information or ensure that the information is de-identified.

In the event that the unsolicited Personal Information collected is in relation to potential future employment with RBWHF, such as your CV, resume or candidacy related information, and it is determined by RBWHF (in its absolute discretion) that it may consider you for potential future employment, RBWHF may keep the Personal Information on its human resource records.

## 2.5 **How we hold your Personal Information**

Once we collect your Personal Information, we will either hold it securely and store it on infrastructure owned or controlled by us or with third party service providers who have taken reasonable steps to ensure they comply with the Privacy Act. We provide some more general information on our security measures in **Section 8 (Data security and quality)**.

## 2.6 **Cookies and IP addresses**

If you use our website, we may utilise "cookies" which enable us to monitor traffic patterns, trends and to serve you more efficiently if you revisit our website. In most cases, a cookie does not identify you personally but may identify your internet service provider or computer.

We may gather your IP address as part of our business activities and to assist with any operational difficulties or support issues with our services. This information does not identify you personally.

However, in some cases, cookies may enable us to aggregate certain information with other Personal Information we collect and hold about you. RBWHF extends the same privacy protection to your Personal Information, whether gathered via cookies or from other sources, as detailed in this Privacy Policy.

You can set your browser to notify you when you receive a cookie and this will provide you with an opportunity to either accept or reject it in each instance. However, if you disable cookies, you may not be able to access certain areas of our websites or take advantage of the improved web site experience that cookies offer.

## 3. **Uses and discloses of Personal Information**

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### 3.1 **Use and disclose details**

We provide a detailed list at **Section 2** of some common uses and disclosures we make regarding the Personal information we collect.

### 3.2 **Other uses and disclosures**

We may also use or disclose your Personal Information and in doing so we are not required to seek your additional consent:

- (a) when it is disclosed or used for a purpose related to the primary purposes of collection detailed above and you would reasonably expect your Personal Information to be used or disclosed for such a purpose;
- (b) if we reasonably believe that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety or to lessen or prevent a threat to public health or safety;
- (c) if we have reason to suspect that unlawful activity has been, or is being, engaged in; or

(d) if it is required or authorised by law.

### 3.3 **Use and disclosure procedures**

In the event we propose to use or disclose such Personal Information other than for reasons set out in the above table at **Section 2** or as otherwise outlined in this Privacy Policy, we will first notify you or seek your consent prior to such disclosure or use.

Your Personal Information is disclosed to these organisations or parties only in relation to the services we provide to you or for a purpose permitted by this Privacy Policy.

We take such steps as are reasonable to ensure that these organisations or parties are aware of the provisions of this Privacy Policy in relation to your Personal Information.

### 3.4 **Communications opt-out**

If you have received communications from us and you no longer wish to receive those sorts of communications, you should contact us via the details set out at the top of this document and we will ensure the relevant communication ceases. Any other use or disclosure we make of your Personal Information will only be as required or authorised by law or as permitted by this Privacy Policy or otherwise with your consent.

## 4. **Sensitive information**

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### 4.1 **Sensitive information generally**

Sensitive information is a subset of Personal Information. It means information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political organisation, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual orientation or practices, criminal record, health information about an individual, genetic information, biometric information that is to be used for the purpose of automated biometric verification or biometric identification or biometric templates.

### 4.2 **Collection and use of sensitive information**

In general, we attempt to limit the collection of sensitive information we may collect from you, but this may not always be possible and we may collect sensitive information from you in order to carry out the services provided to you. However, we do not collect sensitive information from you without your consent.

The type of sensitive information we may collect about you is dependent on the services provided to you by RBWHF will be limited to the purpose(s) for which it is collected. We set out some types of sensitive information we may collect about you in the "*Employment*" and "*Donations and fundraising*" section of the table at **Section 2** above.

We do not use sensitive information to send you Direct Marketing Communications (as set out in **Section 5** below) without your express consent.

### 4.3 **Consent**

We may collect other types of sensitive information where you have consented and agree to the collection of such information. Generally speaking, we will obtain this type of consent from you at (or around) the point in time in which we collect the information.

## **5. Direct Marketing**

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### **5.1 Express informed consent**

You give your express and informed consent to us using your Personal Information set out in the table at **Section 2** of this document above to provide you with information and to tell you about our services or events or any other direct marketing activity (including third party products, services, and events) which we consider may be of interest to you, whether by post, email, SMS, messaging applications and telephone (**Direct Marketing Communications**).

### **5.2 Inferred consent and reasonable expectations of direct marketing**

Without limitation to paragraph 5.1, if you have provided inferred or implied consent (e.g. not opting out where an opt-out opportunity has been provided to you) or if it is within your reasonable expectation that we send you Direct Marketing Communications given the transaction or communication you have had with us, then we may also use your Personal Information the purpose of sending you Direct Marketing Communications which we consider may be of interest to you.

### **5.3 Opt-out**

If at any time you do not wish to receive any further Direct Marketing Communications from us or others under this **Section 5**, you may ask us not to send you any further information about services and not to disclose your information to other organisations for that purpose. You may do this at any time by using the “unsubscribe” facility included in the Direct Marketing Communication or by contacting us via the details set out at the top of this document.

## **6. Anonymity and pseudo-anonymity**

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To the extent practicable and reasonable, we will endeavour to provide you with the option of dealing with RBWHF on an anonymous basis or through the use of a pseudonym. This is available on request from RBWHF at [privacy@rbwhfoundation.com.au](mailto:privacy@rbwhfoundation.com.au).

However, there may be circumstances in which it is no longer practicable for RBWHF to correspond with you in this manner and your Personal Information may be required in order to provide you with our services or to resolve any issue you may have.

## **7. Cross Border Disclosure**

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### **7.1 Cross border disclosures**

Any Personal Information collected and held by RBWHF may be disclosed to, and held at, a destination outside Australia, including but not limited to **the United States, New Zealand, South Africa and Ireland**, where we utilise third party service providers to assist RBWHF with providing our goods and services to you. Personal

Information may also be processed by staff or by other third parties operating outside Australia who work for us or for one of our suppliers, agents, partners or related companies.

As we use service providers and platforms which can be accessed from various countries via an Internet connection, it is not always practicable to know where your information may be held. If your information is stored in this way, disclosures may occur in countries other than those listed above.

In addition we may utilise overseas IT services (including software, platforms and infrastructure), such as data storage facilities or other IT infrastructure. In such cases, we may own or control such overseas infrastructure or we may have entered into contractual arrangements with third party service providers to assist RBWHF with providing our services to you.

## 7.2 **Provision of informed consent**

By submitting your Personal Information to RBWHF, you expressly agree and consent to the disclosure, transfer, storage or processing of your Personal Information outside of Australia. In providing this consent, you understand and acknowledge that countries outside Australia do not always have the same privacy protection obligations as Australia in relation to Personal Information. However, we will take steps to ensure that your information is used by third parties securely and in accordance with the terms of this Privacy Policy.

The Privacy Act requires us to take such steps as are reasonable in the circumstances to ensure that any recipients of your Personal Information outside of Australia do not breach the privacy principles contained within the Privacy Act. By providing your consent, under the Privacy Act, we are not required to take such steps as may be reasonable in the circumstances. However, despite this, we acknowledge the importance of protecting Personal Information and have taken reasonable steps to ensure that your information is used by third parties securely and in accordance with the terms of this Privacy Policy.

## 7.3 **If you do not consent**

If you do not agree to the disclosure of your Personal Information outside Australia by RBWHF, you should (after being informed of the cross border disclosure) tell RBWHF that you do not consent. To do this, either elect not to submit the Personal Information to RBWHF after being reasonably informed in a collection notification or please contact us via the details set out at the top of this document.

## 8. **Data security and quality**

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### 8.1 **RBWHF's security generally**

We have taken steps to help secure and protect your Personal Information from unauthorised access, use, disclosure, alteration, or destruction. Such steps include encryption of Personal Information when in transit, and endeavouring to utilise third party service providers that adopt suitable information and security encryption measures.

You will appreciate, however, that we cannot guarantee the security of all transmissions of Personal Information, especially where human error is involved or malicious activity by a third party.

Notwithstanding the above, we will take reasonable steps to:

- (a) make sure that the Personal Information we collect, use or disclose is accurate, complete and up to date;

- (b) protect your Personal Information from misuse, loss, unauthorised access, modification or disclosure both physically and through computer security methods; and
- (c) destroy or permanently de-identify Personal Information if it is no longer needed for its purpose of collection.

## 8.2 **Accuracy**

The accuracy of Personal Information depends largely on the information you provide to us, so we recommend that you:

- (a) let us know if there are any errors in your Personal Information; and
- (b) keep us up-to-date with changes to your Personal Information (such as your name or address).

We provide information about how you can access and correct your information in **Section 9**.

## 9. **Access to and correction of your Personal Information**

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You are entitled to have access to any Personal Information relating to you which we hold, except in some exceptional circumstances provided by law (including the Privacy Act). You are also entitled to edit and correct such information if the information is inaccurate, out of date, incomplete, irrelevant or misleading.

If you would like to access or correct any records of Personal Information we have about you, you are able to access and update that information (subject to the above) by contacting us via the details set out at the top of this document.

## 10. **Resolving Privacy Complaints**

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### 10.1 **Complaints generally**

We have put in place an effective mechanism and procedure to resolve privacy complaints. We will ensure that all complaints are dealt with in a reasonably appropriate timeframe so that any decision (if any decision is required to be made) is made expeditiously and in a manner that does not compromise the integrity or quality of any such decision.

### 10.2 **Contacting RBWHF regarding complaints**

If you have any concerns or complaints about the manner in which we have collected, used or disclosed and stored your Personal Information, please contact us:

Email: [privacy@rbwhfoundation.com.au](mailto:privacy@rbwhfoundation.com.au)

### 10.3 **Steps we take to resolve a complaint**

In order to resolve a complaint, we:

- (a) will liaise with you to identify and define the nature and cause of the complaint;

- (b) may request that you provide the details of the complaint in writing;
- (c) will keep you informed of the likely time within which we will respond to your complaint; and
- (d) will inform you of the legislative basis (if any) of our decision in resolving such complaint.

#### 10.4 Register of complaints

We will keep a record of the complaint and any action taken in a Register of Complaints.

### 11. GDPR

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#### 11.1 Definitions

In this section 11, the following defined terms have the associated meanings:

- (a) **“Data Subject”** has the meaning attributed to that term in the GDPR.
- (b) **“GDPR”** means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of Personal Data and on the free movement of such data, and repealing Directive 95/46/EC; and
- (c) **“Personal Data”** means the Personal Data (having the meaning attributed to that term in the GDPR) of the Data Subjects whose data is processed for the purposes of the provision of our retail services.

#### 11.2 Additional rights of Data Subjects

If you are a resident of the European Union for the purposes of the GDPR, then in addition to what is set out in **Sections 1 - 10** above, we are required to comply with the GDPR in our processing of your Personal Data and the following applies to you.

Under the GDPR, RBWHF is considered a “data controller” in the provision of its services to you, and as such determines the purposes and means for processing of your Personal Data.

In addition to your rights of access and correction as set out above, as a Data Subject you may:

- (a) **(access)** request access to your Personal Data held by RBWHF;
- (b) **(rectification)** request to update or rectify any of the Personal Data that we hold about you by contacting us at the details specified above and request Personal Data updates;
- (c) **(erasure)** withdraw your consent to RBWHF’s use of your Personal Data as described in this policy by deletion or erasure of your Personal Data that we hold where that data is no longer required for the purpose for which it was collected;
- (d) **(restriction on processing)** obtain from RBWHF a restriction on processing of your Personal Data where:
  - (1) accuracy of the Personal Data is contested;

- (2) the processing by the processor is unlawful (and you oppose erasure but request restriction of use);
- (3) RBWHF no longer needs your Personal Data; or
- (4) you have objected to processing pursuant to your right to object under Article 21(1) of the GDPR;
- (e) **(data portability)** request that RBWHF:
  - (1) provides you with a copy of the Personal Data that RBWHF holds about you in a portable and machine readable form; or
  - (2) share your Personal Data with a nominated third party.

### 11.3 **Exercising Data Subject rights**

If you wish to exercise any of your Data Subject rights, then please send your request in writing to the details above in section 10.2 (Contacting RBWHF regarding complaints).

We will process your request promptly and in any event, within one month of receipt of receiving it.

### 11.4 **Complaints**

If you have any concerns in relation to RBWHF collection or processing of your Personal Data, then you also have a right to complain to a supervisory authority (within the meaning of the GDPR).

## 12. **Consent, modifications and updates**

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### 12.1 **Interaction of this Policy with contracts**

This Privacy Policy is a compliance document prescribed by law rather than a legal contract between two or more persons. However, certain contracts may incorporate all, or part, of this Privacy Policy into the terms of that contract. In such instances, RBWHF may incorporate the terms of this policy such that:

- (a) certain sections or paragraphs in this policy are incorporated into that contract, but in such a way that they do not give rise to contractual obligations onto RBWHF, but do create contractual obligations on the other party to the contract; and
- (b) the consents provided in this policy become contractual terms provided by the other party to the contract.

### 12.2 **Acknowledgement**

By using our website or a service from RBWHF, where you have been provided with a copy of our Privacy Policy or had a copy of our Privacy Policy reasonably available to you, you are acknowledging and agreeing:

- (a) to provide the consents given by you in this Privacy Policy; and
- (b) that you have been informed of all of the matters in this Privacy Policy.

### 12.3 **Modifications and updates**

We reserve the right to modify our Privacy Policy as our business needs require. We will take reasonable steps to notify you of such changes (whether by direct communication or by posting a notice on our website). If you do not agree to our continued use of your personal information due to the changes in our Privacy Policy, please cease providing us with your Personal Information and contact us via the details set out at the top of this document.