

Privacy Notice

1. Introduction

- 1.1 We are AHF UK. AHF UK is a trading name and our legal name is AIDS Healthcare Foundation UK. We are registered in the United Kingdom as a company under registration number **11337713**, and our registered office is at **24 George Street, Croydon (London), CR0 1PB** – this is also our principal place of business. We refer to AHF UK as ‘we’, ‘us’ and ‘our’ in this Notice.
- 1.2 AHF UK is an affiliate of AHF Europe (with legal name Stitching AHF Global Immunity), with postal address at Keizersgracht 534, 1017 EK Amsterdam.
- 1.3 AHF Europe is a regional chapter of AIDS Healthcare Foundation (AHF), 6255 Sunset Blvd., 21st Floor, Los Angeles, CA 90028 USA.
- 1.4 Under data protection law, we are what is known as a ‘controller’. This means that we may collect personal data about you when you engage with us and we determine how that personal data is used. In this Notice, we set out how we process personal data and your rights and options regarding the way we use your personal data (including through our website - <https://freeHIVtest.uk>). This Notice applies where we are acting as a controller with respect to your personal data
- 1.5 We are committed to protecting your privacy. At all times we aim to respect any personal data you share with us, or that we receive from other organisations, and keep it safe.

This Notice contains important information about your personal rights to privacy. Please read it carefully to understand how we use your personal data. The provision of only your personal data to us is voluntary. However, without providing us with your personal data, your use of our services or your interaction with us may be impaired.

2. We collect personal data about you:

2.1 When you give it to us **directly**

For example, personal data that you submit through our website, when you donate to us or that you give to us when you communicate with us by web request, email, phone, letter or social media.

2.2 When we obtain it **indirectly**

For example, your personal data may be shared with us by third parties including, for example, our business partners; sub-contractors in technical, payment and delivery services. To the extent we have not done so already, we will notify you when we receive personal data about you from them and tell you how and why we intend to use that personal data.

2.3 When it is available **publicly**

Your personal data may be available to us from external publicly available sources. For example, depending on your privacy settings for social media services, we may access information from those accounts or services (for example when you choose to interact with us through platforms such as Facebook, LinkedIn, Whatsapp or Twitter).

2.4 When you visit our **website**

When you visit our website, we automatically collect the following types of personal data:

- (a) Technical information, including the internet protocol (IP) address used to connect your device to the internet, browser type and version, time zone setting, browser plug-in types and versions and operating systems and platforms.
- (b) Information about your visit to the websites, including the uniform resource locator (URL) clickstream to, through and from the website (including date and time), services you viewed or searched for, page response times, download errors, length of visits to certain pages, referral sources, page interaction information (such as scrolling and clicks) and methods used to browse away from the page. The source of the usage data is our analytics tracking system.

2.5 We may combine your personal data from these different sources for the purposes set out in this Notice.

3. **What personal data do we use?**

3.1 We may collect, store and otherwise process the following kinds of personal data:

- (a) your name and contact details, including email address and, where applicable, social media identity;
- (b) account data (e.g. My AHF App), which may include your name, email address, and location;
- (c) we may process information contained in or relating to any communication that you send to us ("correspondence data"). The correspondence data may include the communication content and metadata associated with the communication. Our website will generate the metadata associated with communications made using the website contact forms;
- (d) your date of birth and gender;
- (e) your financial information, such as bank details and/ or credit/debit card details, account holder name, sort code and account number;
- (f) information about your computer/mobile device and your visits to and use of this website, including, for example, your IP address and geographical location;
- (g) information about our services which you use/ which we consider may be of interest to you; and/or
- (h) any other personal data which you choose to share with us as per clause 2 of this Notice.

3.2 Please do not supply any other person's personal data to us, unless we prompt you to do so.

4. **Do we process special categories of data?**

4.1 The EU General Data Protection Regulation (“**GDPR**”) recognises certain categories of personal data as sensitive and therefore requiring more protection, for example information about your health, ethnicity and political opinions.

4.2 In certain situations, we may collect and/or use these special categories of data (for example, health information such as HIV status) if you disclose this to us directly such as through email. We will only process these special categories of data if there is a valid reason for doing so and where the GDPR allows us to do so.

5. **Why do we use your personal data?**

5.1 Your personal data, however provided to us, will be used for the purposes specified in this Notice. In particular, we may use your personal data:

- (a) to provide you with services, products or information you have requested;
- (b) to provide further information about our work, services, activities or products (where necessary, and only where you have provided your consent to receive such information (where the law requires us to obtain your consent) – such as when you sign up to receive our email newsletter and/or notifications;
- (c) your account data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you;
- (d) communicating with you and to answer your questions/requests;
- (e) record-keeping;
- (f) to manage relationships with our networks, stakeholders and those who engage with our services and publications;
- (g) to further our organisational aims in general;
- (h) to analyse and improve our work, services, activities, products or information (including our website), or for our internal records;
- (i) to report on the impact and effectiveness of our work;
- (j) to run/administer our websites, keep them safe and secure and ensure that content is presented in the most effective manner for you and for your device;
- (k) to register and administer your participation in events;
- (l) to process your application for a job or volunteer role with us when you apply through our job vacancies page;
- (m) for training and/ or quality control;
- (n) to audit and/ or administer our accounts;

- (o) to satisfy legal obligations which are binding on us, for example in relation to regulatory, government and/ or law enforcement bodies with whom we may work (for example requirements relating to the payment of tax or anti-money laundering);
- (p) for the prevention of fraud or misuse of services; and/or
- (q) for the establishment, defence and/ or enforcement of legal claims.

6. **Communications for marketing**

- 6.1 We may use your contact details to provide you with information about our work, events, services and/or publications which we consider may be of interest to you.
- 6.2 Where we do this via email, SMS or telephone, we will not do so without your prior consent (unless allowed to do so via applicable law).
- 6.3 Where you have provided us with your consent previously but do not wish to be contacted by us about our projects and/or services in the future, please let us know by email at gdprrequest@aidshhealth.org. You can opt out of receiving emails from us at any time by clicking the unsubscribe link at the bottom of the email correspondence.

7. **Our legal bases for processing**

The GDPR requires us to rely on one or more lawful bases to use your personal data. We consider the grounds listed below to be relevant:

- 7.1 Where you have provided your **consent** for us to use your personal data in a certain way (for example, to use your personal data to send you direct marketing by email and we may ask for your explicit consent to collect special categories of your personal data).
- 7.2 Where necessary so that we can comply with a **legal obligation** to which we are subject (for example, where we are obliged to share your personal data with regulatory bodies which govern our work and services).
- 7.3 Where necessary for the **performance of a contract** to which you are a party or to take steps at your request prior to entering a contract (for example, if you apply to work for/ volunteer with us).
- 7.4 Where it is in your/someone else's **vital interests** (for example, if we became aware that there is a medical emergency).
- 7.5 Where there is a **legitimate interest** in us doing so (for example, processing data about your use of our website and services, our legitimate interests in monitoring and improving our website and services, or using data contained in or relating to any communication you send us, as well as our legitimate interests in the proper administration of our website, business and in our communications with users).
- 7.5.1 The GDPR allows us to collect and process your personal data if it is reasonably necessary to achieve our or others' legitimate interests (as long as that processing is fair, balanced and does not unduly impact your rights).

7.5.2 When we process your personal data to achieve such legitimate interests, we consider and balance any potential impact on you (both positive and negative), and your rights under data protection laws. We will not use your personal data for activities where our interests are overridden by the impact on you, for example where use would be excessively intrusive (unless, for instance, we are otherwise required or permitted to by law).

8. **Sharing your personal data with others**

8.1 We do not share, sell or rent your personal data to third parties for marketing purposes. However, in general we may disclose your personal data to selected third parties in order to achieve the purposes set out in this Notice. Non-exhaustively, those parties may include:

- (a) Members of AHF group – we may disclose your personal data to any member of AHF group of Foundations (this means subsidiaries, ultimate Foundation and all its subsidiaries) insofar as reasonably necessary for the purposes, and on the legal bases, set out in this Notice. Information about AHF group of foundations can be found at aidshealth.org.
- (b) We may disclose your personal data to professional advisers insofar as reasonably necessary for the purposes of obtaining professional advice, or the establishment, exercise or defense of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.
- (c) suppliers and sub-contractors for the performance of any contract AHF enters into with them, for example IT service providers such as website hosts, cloud storage providers and mailing clients;
- (d) insurers;
- (e) financial companies that collect or process payments on our behalf;
- (f) social media platforms with your express permission only;
- (g) regulatory authorities, such as tax authorities;
- (h) advertisers and advertising networks; and/or
- (i) analytics and search engine providers.
- (j) In addition to the specific disclosures of personal data set out in this section, we may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person as required by law. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defense of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

8.2 In particular, we reserve the right to disclose your personal data to third parties:

- (a) if substantially all of our assets are acquired by a third party, personal data held by us may be one of the transferred assets;
- (b) if we are under any legal or regulatory duty to do so; and/or

to protect the rights, property or safety of AHF UK, its personnel, users, visitors or others.

9. **International transfers of your personal data**

9.1 This section provides information about the circumstances in which your personal data may be transferred to a location outside of the European Economic Area ('**EEA**'), such as the USA.

9.2 Given that our work is international and we have offices and facilities around the world, and because we use agencies and/or suppliers to process personal data on our behalf, it is possible that personal data we collect from you will be transferred to and stored in a location outside the EEA.

9.3 Please note that some countries outside of the EEA have a lower standard of protection for personal data, including lower security requirements and fewer rights for individuals. Where your personal data is transferred, stored and/or otherwise processed outside the EEA in a country that does not offer an equivalent standard of protection to the EEA, we will take all reasonable steps necessary to ensure that the recipient implements appropriate safeguards (such as by entering into standard contractual clauses or working with entities in the US that are certified with the EU-U.S. Privacy Shield Framework) designed to protect your personal data and to ensure that your personal data is treated securely and in accordance with this Notice. If you have any questions about the transfer of your personal data, please contact us using the details below.

9.4 Transfers to the USA will be protected by appropriate safeguards, namely the use of standard data protection clauses adopted or approved by the European Commission, a copy of which can be obtained from our **Data protection officer** at the contact information below.

9.5 The hosting facilities for our website are situated in the USA.

10. **Retaining and deleting personal data**

10.1 This section sets out AHF's data retention policies and procedure, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.

10.2 Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.

10.3 We will retain your personal data as follows:

- (a) Personal data will be retained for a minimum period of [1] year, and for a maximum period of [7] years.
- (b) Notwithstanding the other provisions of this section 10, we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

- (c) If you request to receive no further contact from us, we will keep some basic information about you on our suppression list in order to comply with your request and avoid sending you unwanted materials in the future.

11. **Security/ storage of and access to your personal data**

11.1 We are committed to keeping your personal data safe and secure and we have appropriate and proportionate security policies and organisational and technical measures in place to help protect your personal data.

11.2 Your personal data is only accessible by appropriately trained staff, volunteers and contractors, and stored on secure servers with features enacted to prevent unauthorised access.

12. **Amendments**

12.1 We may update this notice from time to time by publishing a new version on our website.

12.2 You should check this page occasionally to ensure you are happy with any changes to this Notice.

12.3 We will notify you of significant changes to this Notice by e-mail where reasonably possible for us to do so. If we do not have your contact details, we will notify you of any changes by posting a notice on the website where reasonably possible

12.4 This Notice was last updated on November 2019.

13. **Your rights**

13.1 In this section 13, we have summarised the rights that you have under data protection law. Some of the rights are complex and may apply only in certain circumstances – for more information, we suggest you contact us info.UK@aidshealth.org.

13.2 Your principal rights under data protection law are:

(a) **right of access;**

you can write to us to ask for confirmation of what personal data we hold on you and to request a copy of that personal data. Provided we are satisfied that you are entitled to see the personal data requested and we have successfully confirmed your identity, we will provide you with your personal data subject to any exemptions that apply.

(b) **right to rectification;**

if you believe our records of your personal data are inaccurate, you have the right to ask for those records to be updated. You can also ask us to check the personal data we hold about you if you are unsure whether it is accurate/ up to date.

(c) **right to erasure;**

at your request we will delete your personal data from our records as far as we are required to do so. In those cases where you ask us to delete your personal data due

to our use for marketing, we will suppress further communications to you, rather than delete all of the information.

(d) **right to restrict processing;**

you have the right to ask for processing of your personal data to be restricted in certain circumstances, such as if there is disagreement about its accuracy or legitimate usage.

(e) **right to object to processing;**

you have the right to object to processing where we are (i) processing your personal data on the basis of the legitimate interests ground, (ii) using your personal data for direct marketing or (iii) using your personal data for historical or scientific research purposes or statistical purposes.

(f) **right to data portability;**

to the extent required by the GDPR, where we are processing your personal data (that you have provided to us) either (i) by relying on your consent or (ii) because such processing is necessary for the performance of a contract to which you are a party or to take steps at your request prior to entering into a contract, and in either case we are processing using automated means (i.e. with no human involvement), you may ask us to provide the personal data to you – or another service provider – in a machine-readable format.

(g) **right to withdraw consent; and**

where we rely on your consent to use your personal data, you have the right to withdraw that consent at any time. This includes the right to ask us to stop using (including profiling for direct marketing purposes) or to unsubscribe from our email list at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

(h) **right to complain to a supervisory authority.**

You are entitled to make a complaint about us or the way we have processed your personal data to a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.

13.3 We may ask you for additional information to confirm your identity and for security purposes before disclosing personal data requested to you.

13.4 You may exercise any of your rights in relation to your personal data by written notice to us to the Data protection officer.

14. **What else should you know about your privacy online?**

14.1 We do not knowingly collect personal data of children through our website. If you are under eighteen and need to provide us with your personal data, do not submit your information through our website. Instead, you can contact us directly by calling the phone number or

writing to us at the address listed on our homepage. You must be at least 18 years old to have our permission to use this site. We do not knowingly collect, use or disclose personal data about visitors that are under 18 years of age.

14.2 You should also be aware that when your personal data is voluntarily disclosed (i.e. your name, e-mail address, etc.) on public areas on our websites or through our social media accounts, that information, along with any information disclosed in your communication, can be collected and used by third parties and may result in unsolicited messages from third parties. Such activities are beyond our control and this Notice does not apply to such information. Any submissions to chat rooms or other public areas on this site are accepted with the understanding that they are accessible to all third parties. If you do not want your comments to be viewed by third parties, you are advised not to make any submissions. Ultimately, you are solely responsible for maintaining the secrecy of your password and/or account information. Please be careful and responsible whenever you are online.

15. **How to contact us**

15.1 You can contact us by:

- (a) post, to the postal address given above;
- (b) using our website contact form; and
- (c) by email, using info.UK@aidshealth.org

16. **Data protection officer**

Our data protection officer's contact details are:

Agnes Szilak
Senior Operations and Data Protection Manager, AHF Europe
Keizersgracht 534, 1017 EK Amsterdam
agnes.szilak@aidshealth.org