# Hart Lottery Privacy Notice

## Background

Hart Lottery (the **Service**) is provided by Hart District Council (‘**we**’, ‘**us**’, or ‘**our**’) with the assistance of our external lottery manager, Gatherwell Limited (**Gatherwell**). We are licensed to operate and promote the Service by the UK Gambling Commission under registration number 47794. Gatherwell is licensed to manage lotteries on behalf of licensed operators by the UK Gambling Commission under registration number 36893.

We are the controller of personal data collected through our operation of the Service, which means that we determine the purposes and means of the processing of personal data. Gatherwell is our processor, which means that Gatherwell is responsible for processing personal data on our behalf.

When we collect and use personal data about you, we are subject to the UK General Data Protection Regulation (**UK GDPR**), the Data Protection Act 2018 (**DPA 2018**), together with any and all other laws relating to the handling of personal data (collectively, the **Data Protection Laws**).

This Privacy Notice provides an overview of how we collect, store, and use your personal data. This Privacy Notice also details how you can access and update your personal data or make a complaint if you decide to use our Service.

We are committed to the protection of personal data of individuals and to maintaining the highest possible standards of privacy. We seek to implement practices, procedures, and systems that comply with Data Protection Laws and the requirements therein.

If you choose to use our Service, then you agree to the collection and use of information in relation with this Privacy Notice. The personal data that we collect is used for providing and improving the Service. We will not use or share your information with any third parties except as described in this Privacy Notice.

Our Service is only available to individuals aged 16 and over, therefore, we do not expect to collect personal data of anyone under that minimum age.

## What personal data do we collect and hold?

We may collect, use, store and transfer different kinds of personal data about you, which we have grouped together as follows:

* **contact data** includes billing address, delivery address, email address and telephone number(s).
* **financial data** includes bank account or payment card details, necessary and utilised to process purchases made through our Service. We do not store payment card details, however they do pass through our website to reach a secure payment gateway.
* **identity data** includes first name, last name, username or similar identifier, title, date of birth and gender as well as any identity verification documents which we require for account registration.
* **marketing and communications data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
* **profile data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
* **usage data** includes information about how you use our website and Service.
* **transaction data** includes details about payments to and from you and other details of services you have purchased from us.
* **technical aata** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.

We may also collect, use and share **aggregated data**, such as statistical or demographic data for any purpose. Aggregated data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we and Gatherwell may aggregate your Usage Data to calculate the percentage of users accessing a specific Website feature. However, if we or Gatherwell combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this Privacy Notice.

We do not collect any **Special Categories of personal data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

To protect against fraudulent activities, we may require customers to identify themselves when purchasing lottery tickets or when claiming prizes. Where deemed necessary at our discretion, Gatherwell will verify your identity on our behalf.

## If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with the Service). In this case, we may have to cancel the Service you have with us, but we will notify you if this is the case at the time.

## How is your personal data collected?

We use different methods to collect data from and about you including through:

* **direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by email or otherwise. This includes personal data you provide when you: apply for our Service; create an account on our website; request marketing to be sent to you; enter a competition, promotion or survey; or give us feedback or contact us.
* **automated technologies or interactions.** As you interact with our Website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies and other similar technologies. Please see our [**Cookie Policy**](https://www.hart.gov.uk/cookies)for further details.
* **third parties or publicly available sources.** We will receive personal data about you from various categories of third parties as set out below:
	+ technical data from the following parties:
		- analytics providers such as Google Analytics based outside the UK;
		- search information providers such as Ideal Postcodes based inside **OR** outside the UK.
	+ contact, financial and transaction data from providers of technical and payment services.
	+ identity and contact data from data brokers or aggregators.
	+ identity and contact aata from publicly available sources such as Companies House and the Electoral Register based inside the UK.

## How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

* where we need to process your personal data in order to perform the contract we are about to enter into or have entered into with you, for example to:
	+ verify your identity;
	+ provide you with, and assist in subscription to, lottery products and services;
	+ record and register your lottery purchases and other transactions with us and manage accounts held with us;
	+ notify you of, and provide you with, any lottery winnings;
	+ administer and manage our business services including in relation to charging and billing.
* where it is necessary for our legitimate interests (or those of a third party, such as Gatherwell), being our legitimate commercial interests, and your interests and fundamental rights do not override those interests, for example:
	+ us and Gatherwell: To analyse and understand supporter behaviour and trends;
	+ for Gatherwell and its affiliated companies:
		- The research and development of Gatherwell’s services and infrastructure, including testing and upgrading these systems; and
		- the analysis of and corporate strategy/resource allocation considerations related to business-to-business functions across Gatherwell’s corporate group;
	+ for unrelated third parties: to enable outsourcing of relevant functions relating to the provision of lottery and marketing products and services and only for the primary purpose of providing those functions.
* where we need to comply with a legal obligation such as:
	+ conduct appropriate checks to protect against fraud; or
	+ address any query, feedback, or complaints you may have.

This list is not exhaustive and there may be other reasons we are required to use personal data in order to provide the Service. We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will obtain your consent before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

**Marketing**; We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. You will receive marketing communications from us and/or good causes you have supported if you have requested information from us or purchased products or services from us and you have not opted out of receiving that marketing.

**Opting out:** You can ask us or third parties to stop sending you marketing messages at any time by logging into the Website and checking or unchecking relevant boxes to adjust your marketing preferences OR by following the opt-out links on any marketing message sent to you OR by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us as a result of a service purchase, service experience or other transactions.

## Cookies

Our website uses cookies. Cookies are alphanumeric identifiers that are placed on your computer's physical storage drive through your web browser. Cookies enable our system to recognise your browser and maintain your purchasing details in your shopping basket. They also allow us to track the user across multiple sessions for analytical purposes.

By disabling cookies, you will not be able to participate in some of the features offered by us. Most internet browsers are pre-set to accept cookies. If you prefer not to receive cookies, you may adjust your internet browser to disable or to warn you when cookies are used. As there are many browsers in the marketplace, the easiest way to change your settings is by searching for 'cookies' in your help/contents and index options on your browser. We recommend that you leave your cookies enabled; otherwise you may not be able to use some portions of our Service. Our cookies don't send us back any information about your computer (except your IP address) or any other information on your physical storage drive.

For more information about the cookies we use please see our [**Cookie Policy**](https://www.hart.gov.uk/cookies).

## Disclosure of your personal data

We may share your personal data with the third parties set out below for the purposes set out in the section title ‘How we use your personal data’ above.

* **Gatherwell and its affiliated companies**: Gatherwell, together with its affiliated companies based in Australia, the UK and any other location where its corporate group operates, to provide services and undertake reporting.
* **Gatherwell’s third party service providers**: service providers acting as Gatherwell’s processors based in Australia, the UK/EU and USA who provide IT services, system administration services and any other services that may help to operate our Service;
* **professional advisors**: accountants, auditors, legal advisors and any other professional advisors who we may engage for our own business purposes;
* **financial services providers**: financial institutions will process Financial Data as required to process purchases made through our Service;
* **third party good cases**: the good causes who conduct and who receive proceeds from, the lotteries in which you make purchases from time to time;
* **courts, governmental and regulatory authorities**: as required or authorised by law (for example, Data Protection Laws);
* **third parties to whom we may choose to sell or transfer our operation relating to lotteries**. If the operation of our lottery is transferred to a third party, then the new operator may use your personal data the same way as set out in this Privacy Notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## International transfers

We may transfer your personal data outside of the UK, but we will ensure your personal data is protected by requiring all third parties located outside of the UK to maintain appropriate safeguards and adhere to the same data protection obligations as us in the handling and processing of personal data.

Whenever we transfer your personal data for processing outside of the UK, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

* we will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data;
* where an affiliated company of Gatherwell or a third party service provider is located in a country that is not subject to an adequacy decision, we (or Gatherwell on our behalf) use specific contracts that ensure your personal data is subject to the same protections that exist in the UK.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK to a specific third party.

## Personal data security

We use a range of security mechanisms and procedures to protect the personal data we hold. We make all reasonable efforts to ensure your personal data is stored securely both in electronic and physical forms and these comply with Data Protection Laws. However, there may be risks associated when transferring your personal data to us from other internet facilities or by email.

We will take all reasonable steps to ensure that any third-party organisations we deal with are bound by confidentiality and privacy obligations in relation to the protection of your personal data. In addition, we limit access to your personal data to employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

## Data retention

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

Personal data that is no longer required will be destroyed in accordance with Data Protection Laws.

In some circumstances you can ask us to delete your data: see the section titled ‘Access to personal data’ below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

## Access to personal data

You have rights under the UK GDPR in relation to your personal data. This includes a right to:

* request access to your personal datA
* request correction of your personal data
* request erasure of your personal data
* request restriction of processing your personal data
* right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact our Information Governance Officer (Data Protection Officer). All requests must be made in writing or by email and addressed to the Information Governance Officer (Data Protection Officer) at the address listed at the end of this Privacy Notice. You may also correct and/or update your personal data through the Website by logging into your account using your username and password without needing to contact our Information Governance Officer (Data Protection Officer).

It is our policy to respond to any such request within one (1) month of receipt. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated as consideration of your request progresses. We will not typically charge you for making requests to access any information held about you, however, we reserve the right to undertake cost recovery for the provision of such information where it is justified.

If there is a reason for not granting you access to your information, we will provide you with a written explanation of the reasons for the refusal (unless unreasonable to do so) and inform you of the mechanisms to complain about the refusal.

## Enquiries and complaints

Information about the UK GDPR, the DPA 2018 and your rights thereunder can be found on the Information Commissioner's website (details below).

If you have a complaint regarding our management of your personal data, wish to correct information held by us or require further information, please contact our Information Governance Officer (Data Protection Officer). Our policy is to respond to your complaint, correction request or query within a reasonable period of time after the complaint is received.

If you are not satisfied with the outcome of your complaint, you may refer your complaint to the Information Commissioner by contacting their helpline on **0303 123 1113** or by visiting the website [**www.ico.org.uk**](https://www.ico.org.uk/).

## Updates to the Privacy Notice

We reserve the right to make changes to this Privacy Notice. Any changes made to the Privacy Notice in the future will be posted on this page and such changes will become effective upon posting of the revised Privacy Notice. If we make any material or substantial changes to this Privacy Notice we will use reasonable endeavours to inform you by email, notice on our Website or other agreed communications channels.

## Contact details

Attention: Information Governance Officer (Data Protection Officer)
Post: Hart District Council, Harlington Way, Fleet, Hampshire, GU51 4AE
Email: data.protection@hart.gov.uk Telephone: 01252 774447

## Links to other sites

Our Service may contain links to other sites. If you click on a third-party link, you will be directed to that site. Note that these external sites may not be operated by us. Therefore, we strongly advise you to review the Privacy Notice of these websites. We have no control over, and assume no responsibility for the content, privacy policies, or practices of any third-party sites or services.