

The Guild Church of St Margaret Pattens & St Gabriel Fenchurch
DATA PROTECTION POLICY AND PROCEDURES
MAY 2018

1. COMMITMENT

The Guild Church of St Margaret Pattens & St Gabriel Fenchurch (“the Church”) holds personal data about its members, including at all levels of membership, its employees, suppliers and other individuals for a variety of business purposes.

The Church is committed to ensuring that all personal data is dealt with properly and securely however it is collected, recorded and used, whether on paper, computer or recorded on any other material.

The Church regards the lawful and correct treatment of personal data as essential to the successful and efficient performance of its functions, and to maintain confidence between those with whom it deals. To this end, the Church fully endorses and adheres to all applicable data protection and privacy legislation, regulations and guidance ("Data Protection Legislation"). Prior to 25 May 2018 this will be the Data Protection Act 1998 and the Privacy and Electronic Communications (EC Directive) Regulations and any guidance or codes of practice issued by the Information Commissioner from time to time (all as amended, updated or re-enacted from time to time); and from 25 May 2018 onwards this will be Regulation (EU) 2016/679 (the "General Data Protection Regulation" or "GDPR") and the Privacy and Electronic Communications (EC Directive) Regulations and any guidance or codes of practice issued by the European Data Protection Board or Information Commissioner from time to time (all as amended, updated or re-enacted from time to time).

2. POLICY

The aim of this policy is to set out how the Church seeks to protect personal data and ensure that the Church’s governing body (“the Guild Church Council -GCC”), its officers, clergy, Committees and other working parties formed from time to time, volunteers, and where appropriate members to whom tasks might be delegated are clear about the purpose and principles of data protection and to ensure that they have guidelines and procedures in place which are consistently followed.

3. DEFINITIONS

In this policy:

Business purposes

The purposes for which personal data may be used by the Church cover the administration of the Church, its events, its congregation and other worshippers and its financial management.

Data

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

Data subjects

Data subjects include all living individuals about whom the Church holds personal data. All data subjects have legal rights in relation to their personal information.

Data users

Data users are those entities and individuals described above whose work involves processing personal data. Data users must protect the data they handle in accordance with this policy at all times.

Personal data

Data relating to identifiable individuals, such as members of the congregation, clergy, officers, employees and other officers, suppliers and contacts. Personal data can be factual (e.g. name, address, date of birth) or it can be an opinion about the person, their actions and behaviour.

Personal data we gather may include, but is not limited to: individuals' contact details by means of letter, email or telephone and gift aid status.

Sensitive personal data

Personal data about an individual's racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership (or non-membership), physical or mental health or condition, criminal offences, or related proceedings is not requested, sought or held by the Church.

Processing data

Processing data means obtaining, recording, holding or doing anything with data, such as organizing, using, altering, retrieving, disclosing or deleting it.

4. COMPLIANCE

Anyone processing personal data must comply with Data Protection Legislation. To comply with the law, personal data must be collected and used fairly, stored safely and not disclosed to any other person unlawfully.

The Church will observe the following principles in respect of the processing of personal data:

- personal data will be processed fairly and lawfully;
- personal data will only be processed for limited purposes and in an appropriate way;
- personal data processed for a specific purpose will be adequate, relevant and not excessive for that purpose;
- personal data will be accurate and up to date;
- personal data will not be held any longer than is necessary;
- personal data will be processed in line with data subjects' rights;
- personal data will be kept secure against loss or misuse

5. SCOPE

Failure to adhere to Data Protection Legislation is unlawful and could result in legal action being taken against the Church or its members with potential substantial fines.

This policy applies to all officers of the Church who must be familiar with this policy and comply with its terms.

This policy supplements any other policies relating to internet and email use. The GCC may supplement or amend this policy by additional policies and guidelines from time to time. Any new or modified policy will be distributed to members.

6. RESPONSIBILITY FOR THE POLICY

The Church is not required to appoint a Data Protection Officer. The responsibility for this policy rests with the GCC and is maintained and administered by the Administrator as the Data Processor.

7. FAIR AND LAWFUL PROCESSING

Data Protection Legislation is not intended to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject.

For personal data to be processed lawfully, it must be processed on the basis of one of the legal grounds set out in Data Protection Legislation. These include, among other things, the data subject's consent to the processing, or that the processing is necessary for the performance of a contract with the data subject, for the compliance with a legal condition to which the data controller is subject, or for the legitimate interest of the data controller or the party to whom the data is disclosed. When sensitive personal data is being processed, additional conditions must be met. When processing personal data as data controller in the course of its activities, the Church will ensure those requirements are met.

8. NOTIFYING DATA SUBJECTS

Where the Church collects personal data from data subjects, the Church will inform them about:

- The purpose or purposes for which the Church intends to process that personal data.
- The types of third parties, if any, with which the Church will share or to which the Church will disclose that personal data. This includes the Diocese of London (an administrative area within the established Church of England and to HMRC when making Gift Aid claims.
- The means, if any, with which data subjects can limit the Church's use and disclosure of their personal data.

If the Church receives personal data about a data subject from other sources, the Church will provide the data subject with the information as soon as possible thereafter. The Church will also inform data subjects whose personal data it processes that it is the data controller with regard to that data and who to contact in this regard.

9. ADEQUATE, RELEVANT AND NON-EXCESSIVE PROCESSING

The Church will only collect personal data to the extent that it is required for the specific purpose notified to the data subject.

10. PROCESSING IN LINE WITH DATA SUBJECTS' RIGHTS

The Church will process all personal data in line with data subjects' rights as set out in further detail in the Church's privacy notices.

11. SECURITY

The Church will take appropriate measures against unlawful or unauthorised processing or personal data, and against the accidental loss of, or damage to, personal data.

12. DEALING WITH SUBJECT ACCESS REQUESTS

Data subjects must make a formal request for information it holds about them. This must be made in writing.

When receiving telephone enquiries, the Church will only disclose personal data it holds on its systems if the following conditions are met:

- The Church will check the caller's identity to make sure that information is only given to a person who is entitled to it.
- The Church will suggest that the caller put their request in writing if it is not sure about the caller's identity and where their identity cannot be checked.
- The Church will escalate any request as appropriate for assistance in difficult situations. Staff should not be pressured into disclosing personal information.

13. PROCEDURES

The following procedures have been developed in order to ensure that the Church meets its responsibilities in terms of data protection in respect of all data subjects:

Internal data records

Purpose

The Church uses data for a variety of purposes as set out in the Church's Privacy Notice in order to perform its obligations to its members to comply with legal obligations or otherwise in pursuit of its legitimate interests. The data will be collected in the legitimate interests of the Church without prejudicing the individual's privacy. The data is stored and processed for the following purposes:

- Compliance with the Church's legal and governance obligations and good practice
- Ensuring privacy policies are adhered to, including policies covering email and internet use
- Operational reasons, such as recording transactions, distribution of information and playing arrangements
- Investigating complaints
- Checking references, ensuring safe working practices, monitoring and managing Church officers' access to administrative systems and information

Access

The contact details of members of the congregation and others at all levels will only be made available to appropriate members of the GCC. Any other information supplies on application is maintained in secure cloud storage or filing cabinets and is not accessed during the day to day running of the Church.

Contact details of members will not be passed on to anyone outside the Club without their explicit consent unless required by law and purposes of the Diocese of London.

Accuracy

The Church will take every reasonable step to keep personal data up to date and accurate.

Members must take reasonable steps to ensure that personal data held about them is accurate and updated as required. Information to be corrected or amended should be passed to the Administrator.

Storage

Personal data is kept in paper-based systems and on the Church's secure password-protected computer systems. All servers containing sensitive data will be approved and protected by security software and strong firewall. Every effort is made to ensure that paper-based data is stored in organised and secure systems.

Use of photographs

The Church will request consent from members of the congregation, choir etc. for the display of photographs in which they appear. This policy also applies to photographs published on the Church's website, social media and in the Church's printed media.

External data records

Purpose

The Church holds and processes an element of personal data for individuals other than those referred to above (such as names, addresses, email addresses and phone numbers). This data is obtained, stored and processed solely to assist the GCC and Committees in the efficient running of the Church's activities.

Consent

Personal data is collected via e-mail and via other methods such as application forms to be placed on the Electoral Roll and for Gift Aid. During this initial contact, the data subject is given an explanation of how this information will be used as appropriate and will be directed to the applicable data privacy notice on the Church's website.

Personal data will not be passed on to anyone outside the organisation without explicit consent from the data subject unless there is a legal duty of disclosure under other legislation, in which case the Secretary will discuss and agree disclosure with the GCC.

Access

Only the Administrator and the GCC (or a specific Committee) will normally have access to personal data. Such persons are made aware of the data protection policy and their obligation not to disclose personal data to anyone who is not supposed to have it.

Information supplied is maintained in secure filing paper and electronic systems and is only accessed by those individuals involved in the delivery of the service.

Information will not be passed on to anyone outside the organisation without the explicit consent of the member concerned, excluding statutory bodies e.g. the Inland Revenue which require this information and save where required by law.

Individuals will be supplied with a copy of any of their personal data held by the Church if a request is made in accordance with the applicable rules.

Accuracy

The Church will take reasonable steps to keep personal data up to date and accurate.

Storage

Personal data is kept in paper-based systems and electronically on the Church's password-protected computer system. Every effort is made to ensure that paper-based data is stored in organised and secure systems.

Use of Photographs

Where practicable, the Church will seek consent from individuals before displaying photographs in which they appear. If this is not possible, the Church will remove any photograph if a complaint is received. This policy also applies to photographs published on the Church's website, or in any other of the Church's printed material.

14. RETENTION OF DATA

No documents will be stored for longer than is necessary. The Church will take all reasonable steps to destroy, or erase from its systems, all data which is no longer required. Guidelines on retention periods will be agreed by the GCC. All documents containing personal data will be disposed of securely in accordance with the data protection principles.

Any questions or concerns about the interpretation or operation of this policy statement should in the first instance be directed to the Administrator.

15. PRIVACY NOTICE TO MEMBERS

The Church will issue a **Privacy Notice** to all members of the congregation on data protection. The notice sets out the purposes for which the Church holds personal data on members and officers, highlights that the work of the Church may require information to be given to third parties and provides that members have a right of access to the personal data that held on them by the Church.

16. TRAINING

The Administrator has received training on this policy. Further training will be obtained whenever there is a substantial change in the law or the Church's policies and procedures. Training has been provided and has covered the law relating to data protection, the Church's data protection and related policies and procedures.

17. MONITORING AND REVIEW

The GCC will monitor the effectiveness of this policy regularly considering its suitability, adequacy and effectiveness. As a minimum this policy will be reviewed annually.