

St. Martin's Church PCC, Fivehead
Data Protection Policy.

1. This Data Protection Policy is issued by the Parochial Church Council (PCC) of St. Martin's Church Fivehead in accordance with the provisions of the General Data Protection Regulation (GDPR) that came into effect on the 25th May 2018 and the Data Protection Act 2018.
2. **Aim.** This Policy aims to ensure the protection from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data of all whose personal data are stored and used ('processed') by St. Martin's Church PCC, by its individual members and by others within the church's community who are involved in coordinating or facilitating aspects of church life or church-related matters. In order to comply with GDPR the following Guidance and procedures are issued to all who process personal data for any of the purposes described in the PCC's Data Protection Notice. In addition an "Individual Consent" form, together with this policy, will also be issued to all those whose data is held, thus giving them the opportunity to consent in writing to the use (or otherwise) of their data.

Guidance.

3. This policy serves to provide guidance and procedures for the protection of personal data. It applies to the PCC, through its individual members who store and use (process) personal data for any of the purposes described in the PCC's Data Protection Notice of 25th May 2018. This policy also applies to those who are not members of the PCC but who are involved in aspects of church life or church-related matters where processing of personal data occurs. This Guidance should be read in conjunction with the Data Protection Notice.
4. **Contents.** The policy contains directions regarding storage, handling/use and deletion of personal data; procedures concerning the Notice and consent; 'access request' by a data subject, and actions in case of a data breach.
5. **Definitions.**
 - a. **Personal data** is information about a living individual which is capable of identifying that individual.
 - b. **Data subject** is the person about whom personal data are processed.
 - c. **Processing** is anything done with/to personal data, including storing it. .
6. **Collection of personal data.**
 - a. Personal data (hereafter referred to as 'data') can come into the possession of a 'processor' in several ways: (1) receipt of a form (e.g. the Electoral Roll, Gift Aid, Planned/Regular Giving, or Safeguarding); (2) by someone becoming a member of a 'church group' for which there is a coordinator or point of contact, or someone who otherwise becomes involved in outreach activities or in an area of church life where it is likely or necessary that their data will be used for coordination and/or 'church management' purposes. The recipient of a form, or the coordinator/point of contact for a church group shall inform the GDPR Coordinator of receipt of data from a data subject who joins a group or becomes involved in an area of church life.
 - b. The GDPR Coordinator shall then issue that data subject with a Data Protection Notice and an "Individual Consent" form.
7. **Security of data.** All data shall be stored in a safe and secure manner:
 - a. In the case of data held on paper, it must be held under lock and key.

- b. In the case of data on a computer or any other electronic device with recording and play back facilities, Access must be by password or Personal Identification Number (PIN) protection as a minimum.
- c. When data is submitted for inclusion on the Village website, whoever submits the data shall ensure that consent has been given for such publicity.
- d. When transferring data by e-mail, an email account shall be used to which only the PCC member or individual who is the coordinator of the particular aspect of church life has access (i.e. no 'joint' accounts are to be used).

8. Use of data.

- a. **Cross-subject area use.** Data can only be in the 'subject area' in which it has been collected/submitted. The only exception where 'cross-subject area use' of data is allowed, is the contacting for fundraising purposes of data subjects on the Electoral Roll and others who have a strong relation with the church.
- b. **Consent.** There are certain 'purposes' for which data can only be used if prior consent for its use has been given by the data subject, by signing a Consent form. Prior to using a data subject's data, the processor shall consult the Notice to verify whether consent is required for the particular purpose of intended use and shall also verify if a data subject has given consent for the use of their data.
- c. **Use without consent.** No consent is required for the use of data received on forms regarding the Electoral Roll, Gift Aid, Planned Giving or Safeguarding.
- d. Data can also be used without prior consent from the data subject for purposes which concern aspects of coordination of 'church life' and 'normal church management' (such as flower arrangers, bell ringers, choir members, or rotas for volunteers such as sides persons, readers, intercessors, servers at Holy Communion; church and brass cleaners, or leaders and helpers involved in Messy Church or the Village Fete, and communications with and between PCC members and members of the Benefice Council provided that:
 - (1) the processing relates only to members or former members of the church (or those who have regular contact with it in connection with the particular purpose); and
 - (2) there is no disclosure to a third party without consent.

9. Consent and consent form.

- a. Upon receipt of the information described in paragraph 6,, the GDPR Coordinator shall issue a Consent form to the data subject if their data are likely to be used for a purpose described in the Notice as requiring their consent. The GDPR Coordinator shall record from whom and when completed Consent forms have been received back and for which purpose(s) consent has been given. He shall inform the coordinator of each subject area that requires consent, if any data subject has withheld consent, in which case the particular coordinator(s) shall refrain from using the subject's data in that subject area, unless storing and using the personal data is required under legal or ecclesiastical rules (e.g. Electoral Roll, Gift Aid, certain Safeguarding forms).
- b. The GDPR Coordinator shall keep signed Consent forms in a secure manner (see para 7).
- c. If a data subject informs the GDPR Coordinator about a change in their position regarding consent for a purpose, or ceases for some reason to be involved in an area of church life where use of their personal data occurs, the GDPR Coordinator shall issue a revised Consent form or destroy the previously received Consent form, as applicable.

10. Deletion of data.

- a. If a data subject ceases to be involved in an area of church life where use of their data occurs, moves away or dies, or their previously submitted Electoral Roll, Gift Aid, Planned Giving, or Safeguarding form becomes no longer relevant, the coordinator of that subject area shall:
 - (1) inform the GDPR Coordinator, and
 - (2) destroy the data subject's data, unless such data is required to be held for a prescribed period, in which case it shall be destroyed at the end of that period.
- b. Upon receipt of information as described in sub-para a, the GDPR Coordinator shall:
 - (1) inform other relevant coordinators, who shall in turn destroy the data subject's data and
 - (2) issue the data subject with a revised Consent form, destroy their Consent form, or delete/destroy their data, as applicable.
 - (3) The GDPR Coordinator and other relevant coordinators will also ensure that data held on 3rd party storage (back up systems, cloud storage etc) is also deleted.

11. Access request by a data subject. Data subjects have the right to be given confirmation that their data is being stored and used ('processed'); be provided with supplementary information (i.e. information that is usually supplied in a Data Protection Notice), and access to their data so that they are aware of and can check the lawfulness of the use and the accuracy of the data. Subject Access Requests have to be submitted in writing to the GDPR Coordinator. The full list of a data subject's rights is included in paragraph 7 of the Data Protection Notice.

a. Upon receipt of the request, the GDPR Coordinator shall collect the requested data that are held on the data subject, where applicable collecting this from others who have the data subject's data, collate the data and other requested information, and provide this in writing to the data subject within the GDPR-prescribed period (1 month).

b. The data subject's request can be refused (for reasons of being manifestly unfounded, excessive or repetitive), in which case the GDPR Coordinator must inform the requesting data subject of the reason for refusal and that he/she has the right to complain to the Information Commissioner's Office (ICO; see para 12.b for details) or go to court. The requesting data subject may also be charged a reasonable fee for manifestly unfounded, excessive or repetitive requests.

12. Data breach. A 'data breach' is one that leads to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.

- a. If a data breach is suspected or established, the person who first identified the breach is to inform the GDPR Coordinator as soon as possible, who then without delay shall report this to the Diocesan Office (PA to The Assistant Diocesan Secretary - 01749 685 130).
- b. The GDPR Coordinator shall also inform the data subject(s) involved and the Information Commissioner's Office.

Approved by the PCC of St Martin's Church, Fivehead on 25th September 2018.