

# Data Protection Policy for St Andrew's Church, Kirk Ella

Agreed by the Church Council on 28<sup>th</sup> January 2019

To be reviewed by the Church Council in January 2020

Version 2

## 1. CHANGES SINCE LAST VERSION

Section	Change	Reason
Section 5	Updated to include "Basis for processing" and rearranged. Definition of member added.	Bring in line with regulations/examples on Parish Resources.
Section 6	Update information on where ChurchBuilder can be accessed.	To reflect the systems and processes in place.
Section 6 point 6	Remove reference to sensitive data (now included in Section 5).	We have a right as a religious organisation to process sensitive data.
Appendix A	Added details of how the policy is being implemented.	For information at PCC and as a guide for the Staff team.
Appendix B	Added basic consent form.	Required by GDPR.

## 2. INTRODUCTION

St Andrew's Church uses personal data about living individuals for the purposes of general church administration and communication.

St Andrew's Church recognises the importance of the correct and lawful treatment of personal data. All personal data, whether it is held on paper, on computer or other media, will be subject to the appropriate legal safeguards as specified in the Data Protection Act 1998 as amended by the General Data Protection Regulation 2018 (the "GDPR").

St Andrew's Church fully endorses and adheres to the eight principles of the Data Protection Act. These principles specify the legal conditions that must be satisfied in relation to obtaining, handling, processing, transportation and storage of personal data. Employees and any others who obtain, handle, process, transport and store personal data for St Andrew's Church must adhere to these principles.

## 3. THE PRINCIPLES

The principles require that personal data shall:

1. Be processed fairly and lawfully and shall not be processed unless certain conditions are met
2. Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose
3. Be adequate, relevant and not excessive for those purposes
4. Be accurate and, where necessary, kept up to date
5. Not be kept for longer than is necessary for that purpose
6. Be processed in accordance with the data subject's rights
7. Be kept secure from unauthorised or unlawful processing and protected against accidental loss, destruction or damage by using the appropriate technical and organisational measures

8. And not to be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

#### 4. MAINTAINING CONFIDENTIALITY

St Andrew's Church will treat all your personal information as private and confidential and not disclose any data about you to anyone other than the clergy, employed staff, authorised leadership and ministry overseers/co-ordinators of the church in order to facilitate the administration and day-to-day ministry of the church.

Information and data stored by the Church Office will not be distributed in any form such as digital, hard copy or any other form which might breach the Data Protection Act.

Your personal information will not be given or sold to any other person, company or church.

All employed staff are required to sign a confidentiality written clause into their contract of employment. All clergy, employed staff and authorised leadership and ministry overseers/co-ordinators who have access to personal data obtained under this policy will be required to agree and to sign this Data Protection Policy.

**There are four exceptional circumstances to the above permitted by law:**

- Where we are legally compelled to do so
- Where there is a duty to the public to disclose
- Where disclosure is required to protect our interest
- Where disclosure is made at your request or with your consent

#### 5. USE OF PERSONAL INFORMATION

We use your personal data for the following uses:

1. The day-to-day administration of the Church including pastoral care and oversight, calls, emails and visits, preparation of ministry rotas, maintaining financial/giving records for audit and tax purposes
2. Contacting you to keep you informed of church news, activities and events
3. Statistical analysis to gain a better understanding of church demographics
4. With your specific permission, for the production of a church contact list which will be made available to other members of St Andrew's Church through ChurchBuilder.

Data will be held whilst you are a member of the church and destroyed shortly after you leave the church or we receive a written request from you. The exception to this will be where we need to keep statutory records for a longer period. For the purposes of this policy 'member' means 'parish electoral roll member'.

**Basis for processing:** In many cases we will process your data because we have a "legitimate interest" because you have joined the Electoral Roll of the church or you attend a church group (if you are a parent of a child who is involved in a youth or children's group and you have filled in a parental consent form for that activity then we will also process you and your child's data under "legitimate interest"). Otherwise we will ask for your consent through a data-processing consent form such as the general one in Appendix B. In order to keep you informed about wider church activities, where appropriate we will include a marketing consent section on data collection forms. For church members we also process data classified as sensitive data (gender and data which reveals religion). We are able to process such data **for members** as we are "a not-for-profit body with a religious aim". For individuals who are **not members**, consent is required.

## **6. THE MEMBERSHIP DATABASES**

Membership information is held on the St Andrew's Church's ChurchBuilder website (the church website) which is stored offsite on the ChurchBuilder servers, located in the UK. This information can be accessed by individuals using their own username and password. User can only access the data that they have been given permission to access by virtue of their role.

Information collected by the Church Office will be stored on the Database and will not be used for any other purposes than set out in this section.

1. Access to the database is strictly controlled for Electoral Roll members through the use of self-generated passwords.
2. Only the clergy and church staff have access to the full database. Other ministry leaders have limited access to the data about those in the groups they lead. On occasions temporary full access may be granted to trusted and authorized volunteers for a specific task, but this access must only be given while they are under supervision in the church office.
3. The Database will NOT be accessed by any authorised users outside of the EU in accordance with the Data Protection Act, unless prior consent has been obtained from the individual whose data is to be viewed.
4. Personal information will not be passed onto any third parties outside of the church environment.
5. Personal information may be made available to others within the church environment via the password protected members area of the church website with the express permission of the data subject who will be given the opportunity to 'opt in' to this. This information may also be published in a church contact list which will be made available, via the office, verbally or in paper form to church members without website access.
6. The need to process data for normal purposes has been communicated to all data subjects.

## **7. STORAGE OF DATA ON OTHER ELECTRONIC MEDIA**

All clergy, employed staff and authorised leadership and ministry overseers/co-ordinators who store personal information obtained under this policy on any electronic system not connected to the St Andrew's church computer network or part of the website are required to do so in accordance with the principles of the Data Protection Act and to take care to ensure that the information remains secure through the use of passwords and encryption where appropriate. This includes:

- Email/telephone/address books/ held on personal computers, mobile phones, PDA's etc
- Data stored on memory sticks and/or portable hard drives

## **8. RIGHTS TO ACCESS INFORMATION**

Employees and other subjects of personal data held by St Andrew's Church have the right (with some exceptions) to access any personal data that is being kept about them either electronically or in paper-based filing systems. This right may be withheld if the personal information also relates to another individual,

Specifically, all individuals who are the subject of personal data held by St Andrew's Church are entitled to:

- Ask what information the church holds about them and why.
- Ask how to gain access to it.
- Be informed how to keep it up to date.
- Be informed what the Church is doing to comply with its obligations under the Data Protection Act.

Any person who wishes to exercise this right should make the request in writing to the Data Controller, using the standard letter which is available on-line from [www.ico.gov.uk](http://www.ico.gov.uk). St Andrew's Church reserves the right to charge the maximum fee for each subject access request.

St Andrew's Church aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 30 days of receipt of a completed form unless there is good reason to delay. In such cases, the reason for delay will be explained in writing to the individual making the request.

If personal details are found to be inaccurate, they can be amended upon request.

## **9. PHOTOGRAPHS**

Photographs taken within the Church building or at Church events may include individuals or groups of individuals attending these events. These photographs will be used solely for the purpose of St Andrew's Church advertising, marketing and public relations, and may thus appear in any advertising internal or external, website or other publicity material.

The Data Protection Act DOES apply where photographs are taken for official use, such as for identity passes, and these images are stored with personal details such as names. Where the Act does apply, it will usually be enough for the photographer to ask for permission to ensure compliance with the Act.

Photographs taken at St Andrew's Church purely for personal use are exempt from the Data Protection Act.

This means that parents, friends and family members can take photographs for the family album of their children and friends participating in church events.

## 10. WEBSITE PRIVACY STATEMENT

The following statement is provided for users of the St Andrew's Church Website.

At St Andrew's Church we collect different types of information about our users for the following main reasons:

1. To provide an interactive web site where email is used to communicate with the users.
2. To provide a security mechanism whereby we can restrict content to certain groups.
3. To help to improve the service we offer.

### **Our principles**

We are absolutely committed to protecting your privacy. Our policy can be summarised in one sentence: **we will not share your information with others without your consent.**

We have established the following two principles:

1. We will respect your email privacy. You will only receive email from St Andrew's Church in relation to areas you have expressly signed up for.
2. All group emails will be sent as bcc...to protect your privacy.

We will not share any individual user details (including your email address) to any third party without your consent.

### **What information do we collect?**

We collect information on our users through a consent form. The minimum information we keep is your first and last name, full postal address, phone number and /or email.

### **Who will have access to your information?**

- You have control over who is able to access specific items of information.
- By default your information will not be visible to anyone else using the site.
- You can change these settings from your personal profile page.

### **What else you should know about privacy**

Remember to close your browser when you have finished your user session. This is to ensure that others cannot access your personal information and correspondence if you share a computer with someone else or are using a computer in a public place like a library or Internet café. You as an individual are responsible for the security of and access to, your own computer.

Please be aware that whenever you voluntarily disclose personal information over the Internet that this information can be collected and used by others. In short, if you post personal information in publicly accessible online forums, you may receive unsolicited messages from other parties in return. Ultimately, you are solely responsible for maintaining the secrecy of your usernames and passwords and any account information. Please be careful and responsible whenever you are using the internet.

Our pages may contain links to other websites, and you should be aware that we are not responsible for the privacy practices on other websites.

## Appendix A: Data Management

	<b>Adults (Electoral Roll)</b>	<b>Adults (Groups)</b>	<b>Children and Youth</b>	<b>Other – baptism, wedding, funeral, non-Electoral Roll members.</b>
<b>Data Capture</b>	<p>The construction of the Electoral Roll is performed according to the rules for the creation of an Electoral Roll.</p> <p>Based on someone joining the Electoral Roll we claim a 'legitimate' interest to store and process their data and communicate with them about the church.</p> <p>Our Electoral Roll forms also contain a marketing consent form which is processed as detailed below.</p> <p><b>Responsibility:</b> Electoral Roll Officer</p>	<p>Normally data is captured and entered on an annual basis via the process detailed under 'Data Check'.</p> <p>If members arrive and/or leave during the year the group leaders can directly ask the Church Administrator to change their group membership on ChurchBuilder.</p> <p><b>Responsibility:</b> Group leaders</p> <p>If they are not on the Electoral Roll, they will be asked to fill in a Contact Details/Consent form. This is likely for new members as they will need to attend for 6-months before they can join the Electoral Roll. They will be encouraged to join the Electoral Roll after 6-months.</p> <p><b>Responsibility:</b> Church Administrator</p>	<p>Annually a child's parent fills in a Consent Form (as required for Safeguarding) which are handed out at the start of the Autumn term.</p> <p>If a new child joins a group a consent form is given to the parents, the first or second time they come along.</p> <p>Normal these parental consent forms would be given out at Sunday Groups, Creche or Impact as every child in our groups should attend one of these core groups. It is the responsibility of the Group Leaders to highlight if a child might not have a consent form from another group.</p> <p><b>Responsibility:</b> Group leaders</p>	<p>For other categories of people we would normally expect to have them fill in a form with a data notice (and consent for marketing) as part of their:</p> <ul style="list-style-type: none"> <li>- Baptism or wedding application</li> <li>- Funeral details form</li> <li>- OR for other people (non-ER) through a Contact Details/Consent form (see Appendix B).</li> </ul> <p><b>Responsibility:</b></p> <ul style="list-style-type: none"> <li>- Baptism/funeral: Clergy member who visits.</li> <li>- Wedding: Church Administrator</li> <li>- Other people (non-ER): whoever is the point of contact.</li> </ul>
<b>Data Entry</b>	<p>The data is entered into ChurchBuilder as people are added to the roll.</p> <p>If a record is already present, then this is checked and updated.</p> <p>If someone comes off the Electoral Roll during a year</p>		<p>When consent forms are collected in each year they are photocopied, with a copy made for each group the child attends. The master copy is kept by the Church Administrator in the Safeguarding Records (in a locked filing cabinet). The child's data (and parents) is checked in ChurchBuilder. The group leaders are responsible for ensuring that these consent forms are at</p>	<p>These forms are given to the Church Administrator who enters them into ChurchBuilder.</p> <p><b>Responsibility:</b> Church Administrator</p>

	<p>(through leaving the church, through death, through a request to leave), then the data on that person will be deleted, unless we have another legitimate interest.</p> <p><b>Responsibility:</b> Electoral Roll Officer</p>		<p>hand at their groups, but that no unauthorised people have access to them.</p> <p>Parents of children who would not themselves attend St Andrew's are in a special parents' group for Impact.</p> <p>When the copies of the consent forms for a new year are distributed to the group leaders, the forms from the previous years are shredded. The originals remain with the Safeguarding records.</p> <p>Based on the child joining these groups and the parents completing the forms we claim a 'legitimate' interest to store and process their data and communicate with them about these groups.</p> <p>If a child joins mid-year the process is completed for that child on their own.</p> <p><b>Responsibility:</b> Staff team (Ministry Apprentice)</p>	
<p><b>Data Check</b></p>	<p><b>Frequency:</b> Annually (April) Each year the roll is revised, at the same time the roll officer will check to see if there are any people on the roll who are no longer eligible.</p> <p><b>Frequency:</b> six-yearly (April) The roll is completely revised from scratch, those who do not reapply will be removed from ChurchBuilder, unless we have another legitimate interest.</p>	<p><b>Frequency:</b> Annually (September)</p> <p>Each adult group leader (as recorded in ChurchBuilder) is emailed a "Group Membership Check" document. This is generated via ChurchBuilder.</p> <p>The leaders respond with a list of new members to be added and members to be deleted.</p> <p>This list is then checked against the Electoral Roll (using ChurchBuilder) and a 'Group Members not on the</p>	<p><b>Frequency:</b> Annual (September)</p> <p>Each group leader is asked to review the membership of their group each year by the Website Administrator. Coordinators to respond with a list of members to be deleted. New members are added through new consent forms.</p> <p>Over 16s are passed to the Parish Administrator so they can be asked to join the Electoral Roll. If they are still involved in the life of the church we will keep their data until they have joined the Electoral Roll.</p>	<p><b>Frequency:</b> Annual (January)</p> <p><b>Weddings/Funerals/Baptism:</b> There is a check through ChurchBuilder – using annual groups (e.g. 'Weddings 2019') with which these are tagged. This data is deleted after 3 full calendar years after the year of the occasional office, unless they have another relationship with the church. At the same time their paperwork is always shredded.</p>

	<p>Additions and deletions are handled as detailed in 'Data Entry'.</p> <p><b>Responsibility:</b> Electoral Roll Officer</p>	<p>Electoral Roll' form generated for each group (using ChurchBuilder).</p> <p>Each leader receives a 'Group Members not on the Electoral Roll' form for their members. For these new members the leader is asked to request the group member fill in a Contact Details/Consent form.</p> <p>These forms were filed in the church office.</p> <p><b>Responsibility:</b> Website Administrator and Group Leaders</p>	<p><b>Responsibility:</b> Website Administrator and Group Leaders</p>	<p><b>Other people (non-ER):</b> There is a check through ChurchBuilder – using the 'Data Protection\Consent Required' group. This group lists those who we do not have a legitimate interest in through their membership of the Electoral Roll, another group or through using a service of church. If they are no longer in contact with us, we will delete them.</p> <p><b>Responsibility:</b> Church Administrator</p>
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### Marketing

There are few activities which count as 'marketing' rather than communications to existing group members. Most advertisement is done through giving out leaflets at face-to-face events or delivering leaflets to every home in the village. The following communications are marketing communications:

- Inviting families who have come for baptism to subsequent church events.

**Consent:** On the Baptism Application form

**Advertiser:** Children's and Families worker

**Process:** Must check the couple's record on ChurchBuilder as to whether we have marketing consent (see 'Marketing consent' below for details).

On occasions we email/write to members of the Electoral Roll to inform them of a special event in the church (e.g. services for our Rector leaving/arriving). We consider this to be part of routine communications which would be expected by members of the Electoral Roll. Each year we invite the previous two years' worth of funeral next of kin to our annual "Remembering service" (for those in Hull), we also send them a card on the anniversary of their loved one's death and for those nearby take flowers around to their home after Harvest. All these we consider part of the pastoral care service surrounding a funeral.

### Marketing consent

On all our consent forms we ask by which methods we can communicate with someone. While this is binding for marketing communications we wish to abide by these wishes in our communication due to 'legitimate interest'. To ensure that this is honoured we use the following procedure when we process a data processing consent form.

- 1) They are entered into the 'Data Protection/Consent Obtained' group on ChurchBuilder.



- 2) Their data is checked and if necessary corrected on ChurchBuilder.
- 3) If the person wishes NOT to be contacted by a certain method a note is made in the 'Notes' field in ChurchBuilder (e.g. 'Marketing - post and phone only').
- 4) If they are happy to be contacted via email they are added to the 'Data Protection\Marketing Opt-In' in ChurchBuilder. ChurchBuilder will only permit marketing emails to people in this group. When emails are sent through the system the sender can chose whether the email is 'Marketing' or 'Operational'.

As this data can be hard to repeatedly look up and is fairly static, we allow staff members to export the data on marketing to a spreadsheet. It is the responsibility for the user to ensure this is updated as needed and destroyed when a new version is produced.

### **Paperwork for occasional offices and other records**

These are kept in accordance with the guidance given in *Keep or Bin?... The Care of your Parish Records* from the Church of England<sup>1</sup>

To ease the administration of occasional offices we may keep summary spreadsheets for each year on staff computers, sent by email within the staff team. These should be destroyed with, or before, that year's data is deleted on ChurchBuilder (see above table).

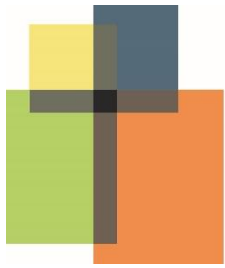
For occasional offices we also need to send some detail of wedding and funeral to those outside the staff team (the organist, the flower guild and the bell ringers). We will send them the minimal information required to undertake their role and ask them to delete the data by the end of the calendar year.

Sometimes we do not get consent forms signed for those who come to us for funerals because of pastoral reasons. We still store their (Next of Kin) data as we still have a "legitimate interest" as they are accessing our funeral "service".

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<sup>1</sup> [https://www.churchofengland.org/sites/default/files/2017-11/care\\_of\\_parish\\_records\\_keep\\_or\\_bin\\_-\\_2009\\_edition.pdf](https://www.churchofengland.org/sites/default/files/2017-11/care_of_parish_records_keep_or_bin_-_2009_edition.pdf)

**Appendix B: Contact Details/Consent form**



# St Andrew's Kirk Ella

## Keeping in Touch Consent Form

Your privacy is important to us, and we want to communicate with church members in a way which has their consent, and which is in line with UK law on data protection. As a result of a change in UK law, we now need your consent to how we contact you. Please fill in the contact details you want us to use to communicate with you:

Name: .....

Address: .....

.....

Postcode: .....

Email Address: .....

Phone Number: ..... (Landline)

..... (Mobile)

By signing this form you are confirming that you are consenting to the PCC of St Andrew's Kirk Ella holding and processing your personal data for the purposes of keeping you informed about news, events, activities and services at St Andrew's (*note you can unsubscribe at any time*).

Please tick the boxes where you grant consent:-

I consent to the church contacting me by  post  phone or  email.

Signed: ..... Dated: .....

You can grant consent to all the purposes; one of the purposes or none of the purposes. Where you do not grant consent we will not be able to use your personal data; (so for example we may not be able to let you know about forthcoming services and events); except in certain limited situations, such as where required to do so by law or to protect members of the public from serious harm. You can find out more about how we use your data from our "Privacy Notice" which is available from our website or from the Church Office.

You can withdraw or change your consent at any time by contacting Jane Eaman, Church Administrator at St Andrew's Church Office, The Memorial Hall, Beverley Road, Kirk Ella, HU10 7QA or [jane.eaman@kirkellachurch.com](mailto:jane.eaman@kirkellachurch.com) . Please note that all processing of your personal data will cease once you have withdrawn consent, other than where this is required by law, but this will not affect any personal data that has already been processed prior to this point.