



# **Data Protection Policy**

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## OVERVIEW

Christ Community Church (Christ Community Church) uses personal data about living individuals solely to facilitate normal church administration including:

- employee data, membership records, rotas, giftings, visitor information
- financial records of giving for tax and accounting purposes
- church groups, clubs, lettings and other activities
- pastoral care
- the maintaining of a Church Directory on ChurchSuite and MyChurchsuite
- communication regarding church activities.

Christ Community Church is committed to the proper and lawful treatment of all personal data. All personal data - which may be held by Christ Community Church on paper, on a computer or in other media - will adhere to the appropriate legal safeguards as laid down in the General Data Protection Regulation 2018

## SCOPE

This policy, together with any detailed guidelines published separately for this purpose, applies to all trustees, staff employed by Christ Community Church, those contracted and subcontracted by Christ Community Church and all volunteers and group leaders. We will do our utmost to ensure that all staff, volunteers and trustees are conversant with data protection legislation and practice.

The scope of the policy does not seek to govern the sharing of contact details and personal data between groups of friends who are connected through Christ Community Church.

## PURPOSE

Christ Community Church is committed to processing and storing all personal data about staff, trustees, volunteers and church members in compliance with the General Data Protection Regulation (GDPR). The purpose of this policy is to protect the personal data of staff, trustees, volunteers and church members and others connected to Christ Community Church under the UK GDPR which applies from May 25 2018.

## PROCESSING OF PERSONAL DATA

*Personal Data* is any data that can be used to identify an individual, such as a name, home address or credit card number. (*For Example*, membership name and address)

It also can include:

*Sensitive Personal Data* is defined in law as information relating to:

- racial or ethnic origins of the person
- political opinions
- religious beliefs or other beliefs of a similar nature
- trade union involvement
- physical or mental health
- sexual life
- the commission or alleged commission of any offence
- any proceedings for any offence committed or alleged to have been committed

(For Example, information held for pastoral care purposes)

Christ Community Church will only process personal data if at least **one** of the following conditions is satisfied:

1. The processing is necessary to further the “legitimate interests” of Christ Community Church, provided that such processing does not prejudice the “right and freedoms or legitimate interests” of the person concerned. If Christ Community Church processes data under this condition, there is no requirement to obtain consent from the person concerned, but we will always ensure that Christ Community Church respects that person’s rights. This includes the rights of those who provide services to Christ Community Church (e.g., tradespeople).
2. The person concerned has given consent. The consent may be explicit or implicit. By way of an example, a person who emails the church is deemed to give implicit consent for his or her contact details to be stored in such a way that enables the church to respond to the email.
3. In compliance with a legal obligation – for example, a court order requiring disclosure of information.

## KEY PRINCIPLES OF DATA HANDLING

Christ Community Church upholds the UK GDPR's seven key principles of Data handling. Directors, Trustees, employees and any others who obtain, handle, process, transport and store personal data for or on behalf of Christ Community Church are required to adhere to these principles.

In summary, these principles are that personal details:

1. Shall always be processed fairly and lawfully and shall not be processed at all unless certain conditions are met.
2. May only be gathered for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
3. Shall be adequate, relevant and not excessive for those purposes.
4. Be accurate and where necessary, kept up to date.
5. Shall not be kept for longer than is necessary.
6. Shall be processed under the data subject’s rights.

7. Must be kept secure from unauthorised or unlawful processing and protected against accidental loss, destruction or damage by using the appropriate technical and organisational measures.

## INDIVIDUAL RIGHTS

Christ Community Church upholds the UK GDPR rights for individuals:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights concerning automated decision making and profiling.

## CHILDREN

UN Convention on the Rights of the Child defines a child as everyone under 18 which the UK has ratified. In that context, Christ Community Church upholds the UK GDPR Recital 38 which states:

“Children require specific protection with regard to their personal data as they may be less aware of the risks, consequences and safeguards concerned and their rights in relation to the processing of personal data. Such specific protection should, in particular apply to the use of personal data of children for the purposes of marketing or creating personality or user profiles and the collection of personal data with regard to children when using services offered directly to a child. The consent of the holder of parental responsibility should not be necessary in the context of preventive or counselling services offered directly to a child.”

## APPLYING THESE PRINCIPLES

1. When personal information is collected for use by Christ Community Church, we will ensure that information collected is in line with the principles above.
2. Christ Community Church will treat all the personal information as private and confidential and not disclose any data to anyone other than the relevant staff and authorised leaders, solely to facilitate the administration and ministry of the church. You should note however that there are four exceptional circumstances to the above permitted by and anticipated in the legislation:
  - Where we are legally compelled to do so
  - Where there is a duty to the public to disclose
  - Where disclosure is required to protect your interest

- Where disclosure is made at your request or with your consent
3. All Christ Community Church trustees, staff and authorised leaders who process Personal Data on behalf of the church will be required to agree to sign an agreement acknowledging their understanding of this Policy.
  4. The trustees will appoint a suitable individual to act as the Church's Data Protection Officer. All questions and concerns concerning this policy should be addressed to them. They will be supported in managing the practical implementation of this Policy by the Church Administrator.
  5. Special care will be taken concerning the collection and use of personal data of Children and vulnerable adults.
  6. Personal information (including photographs) of individuals will not be published on our website or printed material without obtaining explicit and informed consent from the individuals concerned and/or their parents if a child. We will never publish the names of children alongside their photographs.
  7. We will ensure that all church members and attendees are aware of who to contact to update the information held about them by Christ Community Church (usually the Administrator) and that where possible, they can make ad-hoc amendments themselves to some of their data through MyChurchSuite.
  8. A copy of this policy will be on our church website and also available from the Church Administrator.
  9. All personal information held by Trustees, staff and authorised leaders on behalf of Christ Community Church will be held and processed in a sufficiently secure manner (whether in paper or electronic form) to prevent unauthorised access (whether by unauthorised church staff or third parties). This means we will:
    - Store paper-based information in secure, lockable cupboards
    - Access to Church systems will be password protected and only authorised personnel will have access
    - Use individual (non-shared) secure password protections which will be changed from time to time.
    - Restricted access to both paper and electronic personal data only to those who need to process it for one of the above uses
    - Ensure that personal information is transmitted securely in a way that cannot be intercepted by unintended recipients.

## QUERIES

Any questions about data protection should be directed to: Alan Dempster (Christ Community Church Data Protection Officer) ([alan@christcommunitychurch.co.uk](mailto:alan@christcommunitychurch.co.uk)) or the Church Administrator via the Church Office. ([admin@christcommunitychurch.co.uk](mailto:admin@christcommunitychurch.co.uk))

## ACCESS

Christ Community Church will provide procedures for access to personal data for all those for whom personal data is held. No charge will normally be levied on anyone requesting access to their data. Any such request should be made in writing and a response shall be provided within one calendar month. Redaction of content may be required where requested data is mixed with information relating to others.

## COMPLAINTS, ENFORCEMENT AND DEALING WITH BREACHES

1. Any complaints regarding Data Protection must be passed immediately to the Data Protection Officer
2. Any Trustee, member, staff member or authorised leader who suspects that a breach of the Act has occurred must report it to the Data Protection Officer within 72 hours. Where a breach has occurred procedures for managing the breach must be followed. These include, but are not limited to:
  - a. An assessment as to the likelihood and severity of the risk to people's rights and freedoms, following the breach.
  - b. A process to inform, without delay, affected individuals about a breach when their rights and freedoms are at high risk.
  - c. To notify the ICO of a breach should a significant risk be identified in section (a.) above, and if feasible, within 72 hours of becoming aware of it, even if we do not have all the details yet.
  - d. To document all breaches, even if they don't all need to be reported.
3. All Trustees, staff members and authorised leaders are expected to cooperate in full with any investigation undertaken by the Data Protection Officer or Information Commissioner into an alleged breach of the Act.

## THE INFORMATION COMMISSIONER'S OFFICE

1. The ICO's office holds broader explanations of the principles referred to in this document. For further information see the ICO website: <https://ico.org.uk/>
2. The ICO's role is to uphold information rights in the public interest. The ICO can take action to change the behaviour of organisations and individuals that collect, use and keep personal information.
3. The ICO may use criminal prosecution, non-criminal enforcement and audit, depending on the circumstances. The ICO also has the power to serve a monetary penalty notice on a data controller.
4. Some of the options open to the ICO where there has been a more serious breach of the Data Protection Act include:
  - a. Serve enforcement notices and "stop now" orders where there has been a breach requiring organisations to take (or refrain from taking) specific steps to ensure they comply with the law;

- b. Issue monetary penalty notices, requiring organisations to pay up to £500,000 for serious breaches of the Data Protection Act occurring on or after 6 April 2010, (up to €20m from 25 May 2018).
- c. Prosecute those who commit a criminal offence under the Act.

*Information Commissioner's Office* <https://ico.org.uk/global/contact-us>