

## **St. Albright's Church**

### **Stanway**

### **Data Protection Policy**

This policy was adopted by resolution of the Parochial Church Council (PCC) of St. Albright's Church, Stanway, on 24<sup>th</sup> May 2018 and is to be reviewed every three years. It applies in exactly the same terms to the incumbent or Priest in Charge (PiC) of the parish of Stanway for the time being who is a separate data controller for the purposes of the Regulation.

#### **General**

The PCC will always act in compliance with the General Data Protection Regulations (GDPR), made pursuant to the Data Protection Act 1998, and with the Data Protection Act 2018 when in force, and with all the principles set out therein.

#### **Definitions**

Data subject – a living individual

Personal data – any data relating to a data subject

Special (sensitive) personal data – personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health, sex life or sexual orientation.

Processing – anything done with personal data

Data Controller – the organisation which controls data processing.

Data processor – a third party who processes data on behalf of a data controller

#### **Principles**

The Data Controller for the purposes of this policy is the PCC of the parish of St. Albright's Church, Stanway. The PCC will appoint a person annually to monitor and review the application of this policy, to ensure compliance with the regulations, and to receive any complaints; that person to be known as the Data Protection Officer (DPO).

The PCC hereby declares that all data in its possession will be:-

- a) Processed lawfully, fairly and transparently
- b) Processed only for specified and lawful purposes
- c) Adequate, relevant and not excessive for the purposes for which it is kept

- d) Accurate and up to date
- e) Not kept for longer than is necessary for its purpose
- f) In accordance with the rights of the data subject
- g) Kept secure by technical and organisational means
- h) Transferred outside the European Economic Area only if privacy is protected.

The PCC declares that it is accountable for the processing of all personal data held in its possession and formally adopts the Procedure, Privacy Notice and Consent Form attached to this policy.

This policy is to be on public display within the church and available to read on the website, along with the Procedure, Privacy Notice and Consent Form. Paper copies are available on request from the PCC secretary, DPO or PiC. The PCC secretary will retain the signed copy of the policy.

Signed

Signed

Priest in Charge

Secretary

On behalf of the PCC of St. Albright's Church, Stanway

# **St. Albright's Church, Stanway**

## **Data Protection Policy**

### **Procedure**

1. The personal data kept by the PCC or PiC normally consists only of the names and contact details (address, telephone and email) of data subjects.
2. Special (sensitive) categories of personal data will not normally be processed, unless it be pursuant to a specific legal obligation, or if further explicit consent is obtained.
3. Personal data is normally processed solely with the consent of the data subject, such consent to be obtained using the consent form attached hereto. Personal data may also be processed for one of the following reasons:-
  - a) It is necessary to do so because of a contractual obligation with the data subject;
  - b) It is necessary for some other legal obligation;
  - c) It is necessary for the vital interests of the data subject
  - d) It is necessary in the legitimate interests of the PCC or PiC
4. If 3(d) above is relied upon then it is for the PCC or PiC to state what those legitimate interests are, and these are to be balanced with the legitimate interests of the data subject.
5. The Privacy Notice attached hereto is to be made available to all data subjects and publicly displayed in church and on the website.
6. Personal data is to be processed solely for the purposes set out in the consent form, or alternatively, pursuant to one of the categories specified in paragraph 3 above. If further purposes are sought, or if special (sensitive) data is sought to be processed, then separate specific consent is to be obtained.
7. Personal data should only be retained for a reasonable time in accordance with the purposes set out in the consent form, or in accordance with paragraph 3. There is to be a periodic review of all personal data which is processed by the PCC or PiC. Consideration is to be given at such review to the need to retain any data. This review to be the responsibility of the DPO or PiC as appropriate.
8. Personal data is to be processed:-
  - a) On a computer database which is password protected; and/or
  - b) On paper copies in a safe and secure place;
  - c) Transferred only by safe and secure means. If electronically then using appropriate password protection.
9. If personal data is destroyed pursuant to a request by the data subject or following the review at (7) above, then it shall be done in a safe and secure manner.
10. It is the responsibility of the DPO or PiC to ensure, so far as is practicable, that the personal data which is processed is accurate and up to date. This may be determined at the periodic review at (7) above and at other times.
11. Upon adoption of the data protection policy, the DPO and PiC will carry out an audit of personal data processed by the PCC and PiC. This audit to include:-
  - a) Ascertaining what personal data is being processed;
  - b) Ensuring that the personal data is being processed in accordance with the policy, procedure and privacy notice;

- c) Ascertaining who processes personal data on behalf of the PCC and PiC, and that they are acting in accordance with the policy, procedure and privacy notice. See para. (20) below;
  - d) This audit may form the basis of the periodic review at (7).
12. Any data subject may have access to their personal data at any time. A request to see such data should be made initially to the DPO or PiC, or if not possible, then to any member of the PCC. The request should be dealt with within a reasonable time and, in any event, in not more than 28 days. Such access includes an entitlement to be:-
- a) Told whether any personal data is being processed;
  - b) Given a description of the personal data, the reasons for its being processed and whether it will be given to any other organisations or people;
  - c) Given details of the source of the data where possible.
13. Any data subject may at any time require their personal data to be removed from the database, unless there be a specific legal reason for retaining such data.
14. Any complaint or query from any data subject relating to the processing of their personal data should be initially addressed to the DPO or PiC and answered within a reasonable time and, in any event, within 28 days.
15. The personal data of any data subject will be treated as strictly confidential and will be shared only in compliance with the consent form, or according to any other legal requirement.
16. A record of all data processing activities is to be kept. Such record is to include, so far as is possible, a note of who is processing what data and the purpose for which it is processed.
17. If there is a breach of personal data the DPO or PiC as appropriate shall report such breach to the Information Commissioner (ICO) as soon as practicable and in any event within 72 hours, unless the breach will not result in a risk of harm to the data subject. If the report is made more than 72 hours after the breach then reasons must be given for the delay.
18. If there is a breach of personal data which may result in a high risk of harm to the data subject the DPO or PiC as appropriate shall notify the data subject in addition to the ICO. The risk of harm shall include the following:-
- a) Threat to personal safety;
  - b) Discrimination;
  - c) Identity fraud
  - d) Financial loss;
  - e) Humiliation, loss of dignity, or damage to reputation or relationship;
  - f) Loss of business or employment opportunities.
19. A data subject does not have to be informed of a breach of personal data if one of the following is the case:-
- a) Technical or organisational measures were taken to protect personal data prior to the breach;
  - b) Following the breach, steps have been taken to ensure the risk is no longer likely to materialise;
  - c) Notifying would involve disproportionate effort. In which case public communication should be made.

20. If a third party is to process any personal data on behalf of the PCC or PiC then the DPO or PiC will:-
- a) Conduct due diligence on the third party to ensure that there are appropriate technical and organisational measures in place to ensure that the requirements of the GDPR and the protection of the rights of the data subject will be met;
  - b) Ensure that appropriate contractual clauses are in place to govern the protection of the personal data and to limit how the personal data may be processed;
  - c) Take steps throughout the duration of the contract to ensure that the third party is in compliance with the above terms.
21. The DPO and PiC will ensure that any fee payable to the ICO is made.

# St. Albright's Church, Stanway

## Privacy Notice

This notice sets out the principles by which all personal data is processed, and the rights of all data subjects whose personal data is processed, by the Parochial Church Council (PCC) of St. Albright's Church, Stanway, or by the incumbent or Priest in Charge for the time being (PiC) of the parish. The legal basis for is the General Data Protection Regulations (GDPR).

In this notice the following terms are used:-

Data subject – a living individual

Personal data – records which relate to a data subject

Processing – anything done with personal data

Data controller – the organisation which controls the data processing. In this case that is either the PCC or the PiC.

Data Processor – anyone who processes personal data on behalf of the data controller

1. Personal data is normally kept only with the consent of the data subject obtained using the attached form, and processed only for the purposes set out in that form. There are some exceptions to this rule which relate to:-
  - a) Other legal obligations placed on the PCC or PiC;
  - b) Necessity in the vital interests of the data subject;
  - c) Necessity in the legitimate interests of the data controller, balanced by the legitimate interests of the data subject.
2. Personal data is kept, and if required, destroyed, by the PCC or PiC safely and securely. If electronically, using password protected equipment for storage and transfer, and if on paper then a secure manner.
3. If the PCC or PiC wishes to process personal data for any purpose not set out in the attached consent form then a new form will be given to the data subject.
4. Personal data is treated as strictly confidential and will not be shared with third parties unless in conformity with the consent form. Personal data will not normally be transferred overseas and, if it is, then appropriate security measures will be taken.
5. Personal data is kept for as long as is reasonably necessary, or as is required for any legal obligation. The PCC and PiC will carry out a periodic review to ensure that all personal data which is kept is accurate, up to date, not excessive, and that it is necessary to retain it for the purposes stated in the consent form, or other legal reason.
6. All data subjects are entitled to the following:-
  - a) To be told whether any personal data is being processed;
  - b) To be given a description of their personal data, the reasons for its being processed and whether it will be given to other organisations or people;
  - c) To be given a copy of their personal data;

- d) To be given details of the source of the personal data where possible;
  - e) To have their personal data removed, unless there is another legal reason why it has to be retained;
  - f) To have their personal data corrected if it is found to be inaccurate or out of date.
7. Requests for information in relation to any of the above should be made initially to the Data Protection Officer (DPO) appointed by the PCC or to the PiC, or if not possible then to any member of the PCC. All requests will be dealt with within a reasonable time and in any event within 28 days. Contact details for the DPO are attached. Names and contact details of the PiC and of PCC members are available in the church and on the website.
  8. Further information, may be obtained from, or complaints made to, the Information Commissioner's Office on 0303 123 1113 or <https://ico.org.uk> or at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.
  9. This Privacy Notice is made pursuant to the Data Protection Policy adopted by the PCC of St. Albright's Church and the PiC, and in conjunction with the Procedure notes, copies of which are on display in the church and available on the website.

The person appointed by the PCC as Data Protection Officer (DPO) is

Name: The Rev. Tony Bushell

Phone No. 07484 265258

Email: vicartone@aol.com

Who is also Priest in Charge

Pioneer Minister

Rev Wendy Pagden

Churchwardens:

Pamela Higham

Steven Whitfield

PCC Members:

David Kent

David Tibbetts-Chaplin

Morag Bushell

Mark Claydon

Ravi Natarajan

Clement Arde-Aquah

Penny Bonham

Pamela Higham

November 2023.



## **St. Albright's Church**

### **Stanway**

#### **Data Protection Policy**

This policy was reviewed on 4<sup>th</sup> October 2023 at the PCC Meeting and was unanimously approved to be in order.

It was agreed that the list of Officers should be updated by the PCC Secretary, ( Mrs Pamela Higham)