




DATA PROTECTION POLICY

for

All Saints Church, Babbacombe
Cary Avenue, Babbacombe, Torquay TQ1 3QT

Reviewed & Approved by	PCC in General meeting
Approved Date	Sep 2020
Signed on behalf of PCC	
Signed by & Position	Fr Paul (Vicar)
Next Review by Date (3 yrs)	2023

1. General Statement of the Church & Church Hall Duties

The Church and Church Hall (herein after referred to as “**the Church**”) are required to process relevant personal data regarding Congregation, people who volunteer their time to the Church, people who are paid by the Church or the Diocese and Hall Users (herein after referred to as “**Users**”) as part of our operation and the Church shall take all reasonable steps to do so in accordance with this Policy. Processing may include obtaining, recording, holding, disclosing, destroying or otherwise using data. In this Policy any reference to Users includes current past or prospective persons. The main data collected relates to the Officers of the Church, Electoral Roll, Users of the Church Hall and Users of the Church (eg: Marriages, Deaths and Baptisms).

The rules of the Parochial Church Council (**PCC**) - Church Representation Rules (**CRR**) are enshrined in Statute and form a legal obligation to maintain, process and publish certain information. These rules are included with this policy.

2. Data Protection Officer

The Data Protection Officer (**DPO**) will endeavour to ensure that all personal data is processed in compliance with this Policy and the Principles of the **Data Protection Act 2018**. The DPO is:

Rose Wills - 9 Perinville Rd, Torquay, TQ1 3NZ

Alternatively, requests can be made in writing to the Vicar:

Fr Paul Jones – The Vicarage, 4 Cary Park, Torquay, TQ1 3NH

Information Commissioner’s Office

Tel: 0303 123 1113

E-Mail: ico.org.uk/global/contact-us/email/

! Writing: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

3. The Principles

We shall, so far as is reasonably practicable, comply with the Data Protection Principles (“**the Principles**”) contained in the Data Protection Act to ensure all data is: -

- Fairly and lawfully processed;
- Processed for a lawful purpose;
- Adequate, relevant and not excessive;
- Accurate and up to date;
- Not kept for longer than necessary;
- Processed in accordance with the data subject’s rights;
- Secure;

- Not transferred to other countries without adequate protection.

4. Processing of Personal Data

Consent may be required for the processing of personal data unless the processing is necessary for **the Church** to undertake its obligations to Users. Any information which falls under the definition of personal data, and is not otherwise exempt, will remain confidential and will only be disclosed to third parties with the consent of the appropriate individual or under the terms of this Policy.

5. Personal Data

Personal data covers both facts and opinions about an individual. **The Church** may process a wide range of personal data as part of its operations. This personal data may include, but is not limited to; names, addresses, telephone numbers and E-Mail addresses.

6. Sensitive Personal Data

The Church may, from time to time, be required to process sensitive personal data regarding **Users**. Sensitive personal data includes medical information and data relating to criminal records and proceedings. Where sensitive personal data is processed by us, the explicit consent of the appropriate individual will generally be required in writing.

7. Rights of Access

Users have a right of access to information held by **the Church**. Any **Users** wishing to access their personal data should put their request in writing to the **DPO** or the Vicar. **The Church** will endeavour to respond to any such written requests as soon as is reasonably practicable and, in any event, within 40 days for access to records and 21 days to provide a reply to an access to information request. **The Church** may charge an administration fee of up to £10.00 for providing this information. Certain data is exempt from the right of access under the Data Protection Act: this may include information which identifies other individuals, information which **the Church** reasonably believes is likely to cause damage or distress, or information which is subject to legal professional privilege.

The Church will also treat as confidential any reference given by **the Church** for the purpose of training or employment of any **Users**. **The Church** acknowledges that **Users** may have the right to access a reference relating to them received by **the Church**. However, such a reference will only be disclosed if such disclosure will not identify the source of the reference or where, notwithstanding this, the referee has given their consent or if disclosure is reasonable in all the circumstances.

Unless subject to an exemption the individual **Users** have the following rights with respect to their personal data:

- The right to request a copy of the personal data which we hold about the individual;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data be erased where it is no longer necessary for the **Church** to retain such data;
- The right, where there is a dispute in relation to the accuracy or processing of personal data, to request that a restriction is placed on further processing;
- The right to object to the processing of personal data for direct marketing and to have that processing stopped;
- The right to lodge a complaint with the Information Commissioners Office.

8. Exemptions

Certain data is exempted from the provisions of the Data Protection Act which includes the following:

- The prevention or detection of crime;
- The assessment of any tax or duty;
- Where the processing is necessary to exercise a right or obligation conferred or imposed by law upon **the Church**.

The above are examples only of some of the exemptions under the Act. Any further information on exemptions should be sought from the Data Protection Officer.

9. Whose Rights

The rights under the Data Protection Act are the individual **Users** to whom the data relates.

10. How Long is data Kept

All data concerning Marriages, Deaths & Baptisms is kept indefinitely. Electoral Roll data is kept for a maximum of 6 years. Hall User data is kept for a maximum of 3 years.

11. Disclosure of Information

The Church may receive requests from third parties to disclose personal data it holds about **Users**. **The Church** confirms that it will not generally disclose information unless the individual **Users** has given their consent or one of the specific exemptions under the Data Protection Act applies. However, **the Church** does intend to disclose such data as is necessary to third parties for the following purposes:

- To disclose details of an individual **Users** medical condition where it is in the individual **Users** interests to do so, for example for medical advice, insurance purposes or to organisers of trips.

Should individual **Users** wish to limit or object to any such use, they should notify the **DPO** in writing.

Where **the Church** receives a disclosure request from a third party, it will take reasonable steps to verify the identity of that third party before making any disclosure.

12. Use of Personal Information by The Church

The Church will, from time to time, make use of personal data relating to **Users** in the following ways:

- to make use of photographic images of **Users** in Church publications (including Social Media) and on the Church website. However, **the Church** will not publish photographs of individual **Users** with their names on the Church website, or Social Media, without the express agreement of the appropriate individual;
- to photos of minors, with their names, will be published without the written consent of the minor's parents or guardians;

- for fundraising, marketing or promotional purposes and to maintain relationships with **Users** of **the Church**, including transferring information to any association, society or club set up for the purpose of establishing or maintaining contact with **Users** or for fundraising, marketing or promotional purposes (eg: Publicising Church Fetes);
- personal data will be shared within the institutional Church of England and with the general public in so far as is necessary for the **PCC** to comply with its legal and **the Church** obligations (eg: to publish the Electoral Roll - only individual **Users** Name will be displayed within the Church, for a maximum period of **one week**);
- to manage and maintain (determine eligibility, review, revise & remove etc) the electoral roll in accordance with **CRR**.

13. Security

The Church will take reasonable steps to ensure that members of **the Church** will only have access to personal data relating to **Users** where it is necessary for them to do so. **The Church** will ensure that all personal information is held securely and is not accessible to unauthorised persons.

14. Enforcement

If individual **Users** believe that **the Church** has not complied with this Policy or acted otherwise than in accordance with the Data Protection Act, they should notify the **DPO** and or Vicar.

15. Compliance

All PCC members must read, understand and accept this policy.

Who are we?

The Parochial Church Council (PCC) of the Ecclesiastical Parish of All Saints', Babbacombe is the data controller (contact details as detailed above in section 2). This means it decides how your personal data is processed and for what purposes.

Why do we process your personal data?

We use the personal data you provide on the electoral roll application form to enable us to manage, maintain and publish the electoral roll in accordance with Church Representation Rules (CRR) to:

- determine eligibility for attendance and participation at the Annual Parochial Church Meeting and for election to the Parochial Church Council, deanery, diocesan and general synods where applicable;
- calculate the number of representatives who may be elected to each of these synods in the following year;
- undertake a review and revision of the electoral roll as necessary; and
- publish your name and address, by exhibiting the roll in the parish church or the church website.

What is the lawful basis for processing your personal data?

1. *Processing for the purpose of determining eligibility, creating the electoral roll and use of the roll to calculate numbers for election to synod is necessary for compliance with a legal obligation.* The processing is a statutory requirement imposed by the Church Representation Rules, which means that you must give us this information if you want to be included on the electoral roll.
2. *Processing for the purpose of determining eligibility and creating or revising the electoral roll is carried out in the course of our legitimate activities,* as this relates solely to members the Church of England in connection with its purposes.
3. *Processing for the purpose of publishing the electoral roll relates to personal data which are manifestly made public by the data subject.* When you apply to have your name added to the church electoral roll, the automatic legal consequence as stated in the CRR, (Part I Formation of the Roll 1(8) and Revision of Roll and Preparation of New Roll 2(1), 2(3) and 2(7)) is that your name and address will be published, and by submitting your application form you are making that data public.

Sharing your personal data

Your personal data will be shared within the institutional Church of England and with the general public.

How long do we keep your personal data?

As detailed above in section 10

Your rights and your personal data

As detailed above in section 7

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.