

ALL SAINTS BIGHTON

GENERAL DATA PROTECTION REGULATIONS

POLICY DOCUMENT

1 Introduction, scope and background to GDPR

1.1 Background

This document sets out the policies and processes used by All Saints Bighton to comply with the General Data Protection Regulations which replace the 1998 Data Protection Act.

Explanations of technical terms used in this policy document are shown below.

Explaining the jargon:

Personal data is information about a living individual which is capable of identifying that individual.

Processing is anything done with/to personal data, including storing it.

The **data subject** is the person about whom personal data are processed.

The **data controller** is the person or organisation who determines the how and what of data processing, in a parish usually the incumbent or PCC.

1.2 GDPR underlying principles and scope

The law is complex, but there are several underlying principles, including that **personal data**:

1. will be **processed(processing)** lawfully, fairly and transparently.
2. is only used for a specific processing purpose that the **data subject** has been made aware of and no other, without further consent.
3. be collected on a data subject, should be “adequate, relevant and limited.” i.e. only the minimum amount of data should be kept for specific processing.
4. must be “accurate and where necessary kept up to date”
5. should not be stored for longer than is necessary, and that storage is safe and secure
6. will be monitored by a designated **data controller** (the PCC). All Saints has a Data Protection Administrator to undertake day to day monitoring.

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1.3 Personal data

Personal data means data which relate to a living individual who can be identified

(a) from those data, or

(b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller,

and includes any expression of opinion about the individual and any indication of the intentions of data controller or any other person in respect of the individual e.g.

- Name
- Identification number (NI number, tax reference etc)
- Location data (address, photo of their house)
- Telephone number
- Online identifier (email address, IP address)

1.4 Main drivers

The two drivers for activity within GDPR are given below;

- Consent of the Data Subject proved by signed consent form covering relevant processing (i.e. explicit consent)
- The processing (using data) is necessary for the legitimate interests of the data controller or a third party (unless those interests overridden by interests, rights or freedoms of the individual)

Most activity will be covered by number 1, the consent clause.

Therefore, the PCC will have to show that it is complying with GDPR in all its activities.

- Ensuring you know correct legal base/ bases for processing data
- Documenting decisions you take about processing activities (where a specific action has been undertaken.
- Attending training and recording that you have done so (PCC received instruction)
- Reviewing policies (This document is All Saints PCC principal *policy* document)
- Auditing processing activities to ensure compliance
- Doing Data Protection/ Privacy Impact Assessment before processing starts and then updating through lifetime of project (*see later*)

1.5 What data All Saints PCC holds

The PCC only holds data in relation to these fields. See below;

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- Electoral Roll
- Gift Aid Records
- Accounting Records
- Membership lists of groups within the parish (“Friends”, Big4U)
- This is because this information can be processed using bases which imply consent.

2 Management of GDPR

2.1 All Saints Parish Management roles

The Parish Responsibilities for GDPR are managed by the PCC. Management is dealt with as follows;

The Data Controller for the Parish is the PCC.

The Data Protection Administrator is Mr Chris James.

There are four other administrators. These people are:

Mr Robert Ellis – All Saints Bighton Church Warden and chairman of the PCC

Mrs Sarah White – Secretary to the PCC.

Mrs Sally Ellis – Electoral Roll Secretary

Mrs Susan Gray - Treasurer

The Data Protection Administrator is responsible for maintenance of all documentation relating to GDPR.

Other members of the PCC mentioned above support the Data Protection Administrator as required.

2.2 Associated documents

There are several documents which support the operation of the GDPR in All Saints Bighton. There are two types.

2.2.1 Administration/information forms:

- All Saints Bighton GDPR sample Privacy notice
- All Saints Bighton GDPR Policy (this document, Copy in Church Porch/on file – Chris James)

2.2.2 Process action lists

- Process to investigate a data breach or complaint
- Process for accepting a request to access data
- A process to audit/review and where required, dispose of data within time limits.

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The PCC chairman and the Data Protection Administrator hold copies of these lists.

2.3 Management and security of documentation

2.3.1 Paper documents and security

There are several types of paper documentation held by the church which come under the remit of GDPR. There are two safes in the vestry of All Saints Bighton church both of which are lockable, and one is also fire proof. The other administrators mentioned in paragraph 2.1 above store documentation such as service sheets and minutes and PCC documents at home.

Given below is a list showing how each type of document is stored.

Gift aid envelopes (after use which are stored for 6 years) – Filing Cabinet vestry

Parish Burial Registers - Vestry safe (Fire Proof)

Parish Marriage Registers - Vestry safe (Fire Proof)

Register for Banns of Marriage - Vestry safe (Fire Proof)

Register of Baptism- Vestry safe (Fire Proof)

Parish notices after printing but prior to distribution on a Sunday – locked cabinet at home of All Saints Church Warden. No need already in public domain before we print them

Signed copies of the electoral roll application forms - Vestry safe

Parochial Church Council minutes and related documentation – locked cabinet at the home of the PCC Secretary.

All members of the PCC have undertaken to keep any documentation they hold at their homes under lock and key.

2.3.2 Electronic documentation and security

All documentation is held on computers by the people mentioned in paragraph 2.1 above.

All documentation in electronic format listed below is held on PCs in a separate folder marked 'All Saints Bighton'. All documents in the folder marked 'All Saints Bighton' will be password protected where personal data is held e.g. names, address and emails of all parish electoral roll members.

- Gift-aid and regular giving donator list.
- Sets of emails and addresses held in contact lists of people mentioned in 2.1 above. All computers are password protected and firewall/antivirus software is checked each year and updated where required.
- Electronic list of All Saints Electoral roll

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No documentation is stored in the cloud.

2.4 Other churches in the Arle Valley Benefice

The All Saints Bighton PCC has been reassured by Data Protection Administrators in the other 3 churches of the benefice that similar levels of security and action has been undertaken to protect data appertaining to All Saints Bighton.

3 GDPR gathering information and activity processes

3.1 Information gathering

There are several different information gathering forms used for All Saints Bighton; application or renewal of membership of the parish electoral roll.

Completed electronic forms if supplied in electronic format are stored by the PCC Vice Chairman and Secretary of the Parish Council on password protected computers.

3.1.1 Electoral roll data collection – responsible administrator = Electoral roll Secretary

Every 6 years applications are invited for the electoral roll via completion of an application form (Application for enrolment electoral roll All Saints. Part of this form includes a separate declaration to the main application explaining the GDPR policy for All Saints Bighton, the circumstances under which data will be shared and where a full copy of the privacy policy can be found.

3.1.2 Baptism, marriage and burial – responsible administrator = Priest and benefice office

All forms include a declaration concerning GDPR, explaining how the data will be processed and the requirement for signature stored in Benefice Office.

3.2 Activity processes

3.2.1 Potential Data Breach identified or compliant

Any person that has data stored by the parish has the right to recourse if they perceive the data has been used inappropriately or a data breach has occurred.

NOTE: When signing privacy consent forms signees are given the email address allsaintsbighton@gmail.com and told this is the initial way to contact All Saints Bighton.

The process to undertake is;

- When an email is received then All Saints Bighton will reply within 72 hours acknowledging receipt and explaining that an investigation of the potential

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breach or recourse will take place and an answer will be returned within one week. A draft text for this initial response is at Appendix A.

- When an email is received then All Saints Bigton will reply within 72 hours acknowledging receipt and explaining that an investigation of the potential breach or recourse will take place and an answer will be returned within one week. A draft text for this initial response is at Appendix A.
- If a call is made to any member of the PCC then an email is sent back using the text at Appendix A. Speak to the Data Protection Administrator for further information, if required.
- Call the Priest in Charge on 01962-732105 and forward the email to – arlevalleyrector@gmail.com
- Call the Archdeacon on 01962-737300
- Call ICO Helpline 0303 123 1113 within 72 hours to inform;
 1. Description of nature of the incident
 2. Assessment of risks
 3. Categories and numbers of individuals concerned
 4. Categories and numbers of data records concerned
 5. Names of Data Compliance officers
 6. Likely consequences of the breach
 7. Description of measures taken including mitigation
- The Data Protection Administrator will then review the circumstances of the potential breach and/or complaint and investigate the current data sets held on the data subject and establish if the
- If a breach or complaint is found to have taken place, then a course of action will be decided on between the Data Protection Administrator and the PCC Vice Chairman and Priest in Charge
- This action will be carried out and relayed to the complainant.
- If the complainant maintains that issues remain, a further investigation will be undertaken.
- This request and action is maintained in a log held by the Data Protection Administrator.

3.2.2 Request for access to personal data - responsible administrator Data Protection Administrator.

- The request is received by the Data Protection Administrator and assessed. A check is made to assess the validity of the sender.
- Call the Priest in charge to make them aware of the request.
- A list of the information and where it is stored is sent to the sender.
- This request and action taken is included in a log.

3.2.3 Data Disposal

Information identified at the annual review as requiring is disposed of in the following ways;

- Electronic – files are amended, and revisions noted on a log. The files are deleted permanently after the requisite number of years, *not*

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archived. As part of this process the various archive files are reviewed and relevant electronic documents are permanently deleted.

- Paper files – All stored paper documents are reviewed by the Data Protection Administrator annually. At this time a review is undertaken concerning which documents can be destroyed due to being time expired. The relevant time frames are noted in the C of E 'Keep or Bin' document (main areas shown at Appendix B). All destruction is undertaken by a registered company, Box it. This activity will take place in March each year prior to the All Saints general meeting.

4 Administration

This document is maintained and reviewed by the Data Protection Administrator.

The Data Protection Administrator is responsible for maintaining the entire GDPR system for All Saints Bighton. This includes;

- Reviewing all documents as required
- Maintaining and updating entries concerning GDPR on the All Saints Bighton website.
- Maintaining a log of all people on the All Saints, Bighton electoral roll. This is an excel spreadsheet and will include information concerning individual's preferences for contact.
- Providing information concerning the number of requests that were received and dealt with, including outcomes.

The log will be stored on various PC's of officers for All Saint's PCC. It will be password protected. All annual logs will be stored for a period of 5 years then they will be deleted.

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APPENDIX A

TEXT OF REPLY EMAIL IN RESPONSE TO DATA BREACH OR INFORMATION REQUEST.

To be sent by the DPA for All Saints Bighton.

To recipient

CC Priest in charge and PCC Chairman.

Dear XXXX

Thank you for your email. We take all data requests/data breaches/complaints (delete as appropriate) very seriously at All Saints Bighton.

Please be advised that we will undertake to action your request and reply to you within a week.

(for data breach include this paragraph)

We will investigate the data breach/complaint and will aim to put in place immediate remedial actions within 48 hours to ensure further breach issues do not occur.

(for complaint include this paragraph)

We will investigate your complaint and aim to have an initial response concerning our findings to you within a week.

(for data requests include this paragraph)

We will action your request and aim to provide you with the sources and type of information you require within 7 days. In the interim we may be in touch with you to obtain further information.

If you require further information as to this process, then please check on the Arle Valley Benefice website

<https://www.arlevalleychurches.org.uk/Groups/360538/GDPR.aspx>

or make contact via this email address allsaintsbighton@gmail.com

Yours sincerely

Data Protection Administrator.

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APPENDIX B

WHAT TO DESTROY AND WHEN – EXTRACT FROM SECTION 7 C of E KEEP OR BIN DOCUMENT

This list will be used at the annual review.

Must keep -Registers of baptisms, marriages and burials, banns, confirmations and services (all in Diocesan records at Records Office), terrier, inventory, logbook, faculties, PCC minutes, annual accounts, title deeds, LEPs, pastoral schemes, orders in council for closure of churchyards, charity schemes

May keep -Other registers (marriage blessings, funerals, interments), copies special services, parish scrapbook parish profile, parish maps, electoral rolls and parish audits, archive copies of booklets, parish magazines notice sheets, rotas, routine correspondence public notices etc

Must keep securely -file for each member of staff and volunteer, parish agreement with diocese on DBS disclosures, related correspondence until volunteer/ employee has left role for which disclosure obtained. Never copy DBS certificates. Destroy within 6 months of decision on recruitment being made. Dated register of DBS cleared. Third party communications e.g. complaints, Police or Social Services and factual record of actions taken.

May destroy securely –financial supporting documents: cash books, bank statements, wages records, vouchers and routine correspondence, planned giving and Gift Aid records (7+ years) (unless donor still giving under same declaration (all my past and future donations-keep while still valid plus 6 years)

Should have to keep -baptism and marriage certificate counterfoils, to registrar's office for safe keeping, copies of cremation and burial certificates, banns certificates and applications for banns, marriage and baptism services, other routine correspondence including emails and records relating to routine parish matters. Many of these items will also be stored in Benefice office. And the All Saints Bighton DPA will ensure these are destroyed as appropriate.

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