

# DATA PRIVACY NOTICE

Last updated 19<sup>th</sup> May 2020



St Germain's Church

The Parochial Church Council (PCC) of St Germain's Church, Edgbaston is committed to the protection of the privacy of all who come into contact with the Church. Your personal data is very important to us and we understand how important it is to you. Our aim is to be as clear and open as possible about what we do with your personal data and why we do it.

## Definitions

- **"Processing"** means anything that we do with your personal data – obtaining it, holding it, using it, or passing it on. The processing of personal data is governed by the General Data Protection Regulation (the "GDPR").
- **"The Church"** means St Germain's Church, Edgbaston.
- **"You"** means you as an individual. You are known as the **data subject** within the context of the GDPR and UK data protection law.
- **"We"** means the PCC of St Germain's. We are the **data controller** as defined within the context of the General Data Protection Regulation (GDPR) and UK data protection law. This means we decide how your personal data is processed and for what purposes and are legally responsible for making sure your information is processed correctly and lawfully.
- **"Third party"** means anyone outside of the Church – e.g. the Diocese or other organisations. This also includes the Incumbent who is a separate legal entity to the PCC. In the absence of an Incumbent, the PCC is the sole data controller.

## Your personal data – what is it?

Personal data is any information relating to a living individual who can be identified from that data. Identification can be by the data alone or in conjunction with any other information in the data controller's possession, or that is likely to come into such possession. Examples of the data we may process include:

- Names
- Contact details such as addresses, emails, telephone numbers
- Financial identifiers such as bank account details for donations, expense claims or if you pay to book the church or hall for an event
- Demographic information such as gender, age, date of birth, marital status, nationality
- The data we process is likely to constitute sensitive personal data because, as a church, the fact that we process your data at all may be suggestive of your religious beliefs. Where you provide it, we may also process other categories of sensitive personal data: criminal records, mental and physical health, pastoral care notes, accidents logs, details of injuries, medications or treatments needed.

For employees or role-holders in the Church (e.g. Operations Manager, Children and Families Worker, Wellbeing Service Manager, volunteers, PCC members, Church Wardens, Treasurer, contractors), we

will process a greater amount of personal data. This will include the above examples and may also include:

- Non-financial identifiers such as passport numbers, driving license numbers, taxpayer identification numbers, tax reference codes, national insurance numbers and utility bills.
- Financial information such as salary, record of earnings, tax contributions, student loan details, expenses claimed.
- Sensitive Personal data for equal opportunity monitoring such as racial or ethnic origin, gender, sexual orientation, religion, marital status, disability status.
- Other data such as job applications, emergency contact information, immigration status, citizenship, prior job history, qualifications, personal references, personal biography.

### **How do we process your personal data?**

The PCC of St Germain's complies with its obligations under the "GDPR" by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

We use your personal data for the following purposes:

- To enable us to meet all legal and statutory obligations (which include maintaining and publishing our electoral roll in accordance with the Church Representation Rules);
- To administer the parish, deanery, archdeaconry and diocesan membership records;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments;
- To minister to you and provide you with pastoral and spiritual care (such as visiting you when you are ill or bereaved);
- To organise and perform ecclesiastical services for you, such as baptisms, confirmations, weddings and funerals;
- To deliver the Church's mission to our community, and to carry out any other voluntary or charitable activities for the benefit of the public;
- To fundraise;
- To maintain our own accounts and records;
- To process a donation that you have made (including Gift Aid information);
- To keep registers of attendees at events (in particular children);
- To secure bookings of our hall, which are available to hire;
- To organise activities, events and courses;
- To support Mission Partners;
- To inform you of news, events, activities and services running at St Germain's;
- To seek your views or comments.

For employees or role-holders in the Church (e.g. Operations Manager, Wellbeing Service Manager, Children and Families Worker, volunteers, PCC members, Church Wardens, Treasurer, contractors) we also use your personal data:

- For legal, personal, administrative and management purposes and to enable us to meet our legal obligations, for example to pay role-holders; report to the Diocese or monitor performance;
- Process sensitive personal data such as information about physical or mental health or condition in order to monitor sick leave and take decisions as to the role holder's fitness for work;
- To coordinate volunteer team lists and administer rotas.

## **What is our lawful basis for using your information?**

The lawful basis for using your information falls under six main categories. Under each category we have outlined some examples.

### **1. Processing on the basis of legitimate interest**

Most of our data is processed because it is necessary for our legitimate interests to enable our charitable and missional aims. For example, if you are a volunteer we need to process your data to assist you in fulfilling your volunteer role in the church, including offering pastoral and administrative support. Where you have registered for an event (e.g. Messy Church) we will use your information to communicate with you about that event, both before the event, and in follow up after the event. If you arrange a funeral, baptism, wedding service at St Germain's and we may contact you about memorial services, confirmation classes or marriage courses. If you hire the church or hall we will use your information to contact you about your booking.

### **2. Processing is necessary for compliance with a legal obligation**

For example, we are required by the Church Representation Rules to administer and publish the electoral roll, and under Canon Law to announce forthcoming weddings by means of the publication of banns. We are also required by law to register the details of PCC members with the Charity Commission and retain Gift Aid Declarations for up to six years from the end of the tax year in which a financial transaction was processed.

### **3. Processing on the basis of consent**

For most communications we will only process your information if you have given us explicit consent. For example:

- Where you have chosen to give us your contact details so that we can keep in touch with you about church news, homegroups, courses, events, activities and services
- Where you have voluntarily subscribed to the Church news email list and explicitly consented to receiving our emails. You can unsubscribe from this list at any time using the unsubscribe link in the footer of those periodic emails. Our news emails are sent using ChurchSuite. You can read their Privacy Policy here: <https://churchsuite.com/privacy-policy>
- Where you have explicitly consented for us to publish your details in the Church address Book.

### **4. Processing is necessary to protect your vital interests or those of another person**

If you are physically or legally incapable of giving consent, but we need to protect your vital interests, we may use your personal information in an emergency. For example, if you were taken seriously unwell whilst attending a Church event, we may pass on next of kin details or medical information to emergency services.

#### **5. Processing is necessary for the performance of a contract**

For employees, contractors and hirers, we require certain information to be supplied. If you don't want to supply your details, we may not be able to enter into a contract with you.

#### **6. Processing of sensitive personal data carried out by a not-for-profit body with a religious aim is permitted provided:**

- the processing relates only to members or former members (or those who have regular contact with it in connection with those purposes); and there is no disclosure to a third party (excluding the Incumbent) without consent.

### **Further processing**

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

### **What about Children's data?**

Under the GDPR in the UK, children are able to give consent at age 13, which means that consent should come from the child rather than the parent/guardian from age 13 unless there are other reasons why the child does not have the capacity to consent. If the child is under age 13, parental consent is required.

### **St Germain's Wellbeing Hub**

St Germain's Wellbeing Hub holds registration details and case notes for its service users on a secure case recording system called CharityLog. Any information about initial enquiries is stored temporarily in a password-encrypted document. Potential service users are required to consent to the processing of their data for the purpose of delivering the service before we can work with them.

Service users' personal data is confidential to the Wellbeing Hub team and will only be shared with other services where they have given their consent, or if there are concerns about their safety or the safety of another person.

### **How secure is your information?**

We take security very seriously and will do everything within our power to keep your information safe. Any printed documents are kept in locked cabinets, where possible in the Church building, and any electronic files are kept encrypted. All contact and demographical information we hold is stored in ChurchSuite or CharityLog, which are password-protected, cloud-based Systems that use SSL encryption and state-of-the-art physical security at their data centres. You can read more here – <https://churchsuite.com/tour/gdpr/security> and here – <https://www.charitylog.co.uk/privacy>.

## **Sharing your personal data**

Your personal data will be treated as strictly confidential and will only be shared with the Incumbent and other members of the church in order to carry out a service to other church members or for purposes connected with the church or one of its ministries. For example, if you are on a team rota your contact details may be available in the rotas folder in church, or if you're a key contact for a public-facing role or team your details may be displayed on a church noticeboard. We will only share your data with other third parties with your prior consent, or unless required to do so by law.

## **Transfer of Data Abroad**

Any electronic personal data transferred to countries or territories outside the EU will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas and on occasion some personal data (for example in a newsletter) may be accessed from overseas.

## **How long do we keep your personal data?**

We keep data in accordance with the guidance set out by the GDPR and the guide "Keep or Bin: Care of Your Parish Records" which is available from the Church of England website. We will keep some records permanently if we are required to do so, for example safeguarding records or Registers of Marriages. We may keep some other records for an extended period of time. For example, we must retain electoral roll data for six years after the last complete review and Gift Aid Declarations and associated paperwork for six years after the tax year to which they relate.

We endeavour to maintain only data that is relevant, accurate and up to date. We have internal processes to periodically review the data we hold and delete data that is no longer relevant to our purpose for processing.

## **Your rights and your personal data**

You have the following rights with respect to your personal data:

1. The right to access information we hold on you
  - At any point you can contact us to request the information we hold on you as well as why we have that information, who has access to the information and where we obtained the information from. Once we have received your request we will respond within one month.
  - There are no fees or charges for the first request but additional requests for the same data may be subject to an administrative fee.
2. The right to correct and update the information we hold on you
  - If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.
3. The right to have your information erased
  - If you feel that we should no longer be using your data or that we are illegally using your data, you can request that we erase the data we hold.

- When we receive your request we will confirm whether the data has been deleted or the reason why it cannot be deleted (for example because we need it for our legitimate interests or regulatory purpose(s)).

#### 4. The right to object to processing of your data

- You have the right to request that we stop processing your data. Upon receiving the request we will contact you and let you know if we are able to comply or if we have legitimate grounds to continue to process your data. Even after you exercise your right to object, we may continue to hold your data to comply with your other rights or to bring or defend legal claims.

#### 5. The right to data portability

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

#### 6. The right to withdraw your consent to the processing at any time for any processing of data to which consent was sought.

- You can withdraw your consent easily by telephone, email, or by post (see Contact Details).

#### 7. The right to object to the processing of personal data where applicable.

- Where we use your personal information to perform tasks carried out in the public interest then, if you ask us to, we will stop using that personal information unless there are overriding legitimate grounds to continue.

#### 8. The right to lodge a complaint with the Information Commissioner's Office.

- If you feel we have used your information incorrectly or without lawful basis, or you dispute our lawful basis, you have the right to lodge a complaint with the Information Commissioner's Office (ICO).

Please contact us if you wish to exercise any of these rights.

### **Contact Details**

We can provide you with access to your personal data at any time. We ask that requests are made in writing to The Data Compliance Officer, St Germain's Church, City Road, Edgbaston, Birmingham B17 8LE or by email to [info@stgermains.org.uk](mailto:info@stgermains.org.uk)

If you have a data protection, security or privacy-related question or complaint, please contact St Germain's in the first instance, where we will do our best to assist you or resolve an issue.

Information Commissioner's Office (ICO), Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF or via email <https://ico.org.uk/global/contact-us/email/>

### **Changes to this notice**

We keep this Privacy Notice under regular review and we will place any updates on the St Germain's website. This Notice was last updated in May 2020.