

The Parish of St John The Baptist, Hey



Policy Statement Data Protection

This policy statement is subject to annual review and was agreed by the PCC on .. March 2015

Commonsense summary - Running a church does inevitably require the collection and storage of limited personal contact details and information. Information is restricted to those who need it for administration and the wellbeing of parishioners and those the Team Rector has contact with. We do all in our power to protect that information and data and do not share it with anyone who is unauthorized or does not require it for a specific reason. The policy statement below spells that out in greater detail.

Introduction

1. **Rationale.** The Parochial Church Council ('PCC') of St John the Baptist, Hey aims to promote a policy defining its attitude to Data Protection that is clearly understood by all members of the Church community. The policy covers the areas over which the PCC has responsibility and/or control and details the Data Protection arrangements within the church.
2. **Purpose.** The purpose of this policy is:
 - a. To promote in a positive manner the appreciation of Data Protection Issues in all the buildings under the control of the PCC control (Church and Hall).
 - b. To ensure that all possible steps are taken to ensure that the personal data we hold is kept safe from unauthorised access or loss, and remains confidential where necessary.
 - c. To ensure that personal data is collected, stored and disposed of in a secure and appropriate manner. We respect the data subject's right to privacy and accuracy.
 - d. To obtain agreement on good practice regarding Data Protection issues.
 - e. To set out the Church's organisational arrangements for Data Protection
 - f. To ensure that the Data Protection Policy is applied consistently and followed by all members of the church community.
3. **Broad Guidelines** are as follows:
 - a. Once agreed, this Data Protection Policy should be applied consistently and followed by all members of the church community.
 - b. This Data Protection Policy should enable the PCC to be confident that all reasonable and practical steps are taken to ensure that Data Protection is of paramount importance and is adhered to by all.
 - c. This policy aims to establish and maintain data information on persons to protect all
 - d. The policy aims to provide a clear framework to establish as structure for the on-going review of data protection issues in our church.
4. **Conclusion.** A clear Data Protection Policy, which is followed by all, is for the mutual benefit of all members of the church community. We aim to promote such a policy, which is available to all who take part in activities at St John the Baptist, adults and children, and is the subject of regular review.

Data Protection Policy

5. The Data Protection Act 1998 applies to all electronic processing of personal data. It also applies to paper-based records of personal data albeit those which are of sufficient sophistication to provide the same or similar ready accessibility as a computerised filing system.
6. St John the Baptist ('the Church') stores some limited personal data about individuals in order to promote effective church administration and communication. The Church recognises the importance of the correct and lawful treatment of personal data. All personal data, whether it is held on paper, on computer or other media, will be subject to the appropriate legal safeguards as specified in the Data Protection Act 1998. The Church fully endorses and adheres to the eight principles of the Data Protection Act. These principles specify the legal conditions that must be satisfied in relation to obtaining, handling, processing, transportation and storage of personal data. Employees and any others who obtain, handle, process, transport and store personal data for the Church adhere to these principles. The Principles are laid out below and incorporate the Church's stance on them.
7. The Data Protection Principles (from the Data Protection Act 1998) are:
 - a. Awareness. The Church will endeavour to ensure that individuals are aware of any information collected, processed, stored or used with respect to them.
 - b. Storage criteria. The Church will use data collected for a specific purpose for that purpose alone. It will not retain the data without the express permission of the individual.
 - c. Appropriate usage. The Church will attempt to ensure that data collected is adequate, relevant and not excessive.
 - d. Accuracy. The Church will take all reasonable steps to ensure the accuracy of the data.
 - e. Length of retention. The Church will not store any data longer than is reasonably necessary. When assessing the retention time, the primary criterion will normally be the purpose for which the data was first collected.
 - f. Awareness. The Church acknowledges the right of the individual to find out what personal information is held about them and to request that we correct any factual errors in the information the Church holds. They may also request that we do not use their personal information. They may request at any time access to, or amendment of, any of their personal information (other than that excluded by the Data Protection Act) that we hold. The primary contact should normally be with the Team Rector.
 - g. External access The Church will take appropriate measures to prevent unauthorised or unlawful access to personal data and accidental loss or destruction of personal data.
 - h. Dissemination The Church will not transfer data outside of the PCC without first ensuring that the person receiving the information (or a country) has adequate protection for the individual.
8. **Categories of individual for whom personal information may be held** as follows:
 - a. Membership. Records are held as follows:
 - (1) Team Rector - holds sufficient information to enable him to exercise pastoral care and maintain contact with parishioners and those with whom he has contact in the exercise of his duties.
 - (2) Gift Aid Officer - holds sufficient information to reclaim tax from the Tax office for

those who have signed Gift Aid forms. These details remain confidential to the gift aid coordinator and are not shared with the treasurer or Team Rector.

(3) Electoral Roll Officer - holds sufficient information for the collation of the Electoral Roll

(4) Sunday School Coordinators - hold sufficient contact and personal information provided by parents for the safety of the children.

(5) Rota Officers - hold contact information of those on their rotas

b. External groups. Records can include the agreed contact details of liaison personnel of people with links to the Church e.g. through social activities. No details will be given to a third party except the contact details to activity leaders where the individual has expressly given permission e.g. for inclusion on the Church website

c. Ecumenism and interfaith. The Leaders of other Churches and faith-based groups, including their legitimate satellites. No details will be given to third parties except the publicised contact details, and only then for the purpose of correspondence.

9. **Promoting Data Protection.** In producing this policy, the PCC demonstrates its regard to the Data Protection Policy of the Manchester Diocese and Oldham Metropolitan Borough Council. The Church Wardens are legally responsible for advising the PCC and for the implementation of the Data Protection Policy within the Church and Hall.

10. The Wardens are also responsible for ensuring that other responsible adults perform their duties and co-operate with the policy, which will be reinforced as part of the Church's daily routine, thus promoting good practice.

11. The Church Wardens will ensure that arrangements are made to bring the policy to the notice of all responsible adults and children; and the relevant sections to visitors and contractors.

12. The policy of the PCC is to:

- a. Promote the development and maintenance of sound data Protection measures.
- b. To consult with users on matters affecting Data Protection involving themselves.
- c. To review and revise this policy as necessary at regular intervals.

13. **Accessing a person's own personal data.** Access is permissible as follows:

a. General access rights. All Church members have the right to see the information kept by the Church that concerns them directly. If they wish to see the information, requests should be addressed initially to the PCC through the Team Rector. Where possible, the information will be divulged within 7 days and not longer than 40 days.

b. Access refusals. The PCC will not divulge all the data it possesses in the following cases:

- (1). If the PCC is not satisfied concerning the identity of the person making the data request.
- (2). The data consists of a confidential reference provided by the PCC and relates to the person's present or future employment.
- (3). The data relates to information held for the prevention or detection of crime, and prosecution of offenders.
- (4). The provision of information would identify another individual

(5). The data represents part/all of a confidential communication between The PCC and its legal adviser for the purpose of receiving legal advice.

c. Sacramental confession. The Team Rector will never keep a written record of conversations that occur within the context of sacramental confession. Such confessions may occur formally e.g. liturgically inside the Church but also informal occasions e.g. in a home but nevertheless can be legitimately regarded as confession.

d. Secondary people. Where other individuals are involved—and they do not give their consent to release the information—the PCC will supply as much information as possible, and in such a manner that the secondary people cannot be identified. Where that person's consent is required, the time limit of 40 days will start once their reply has been received

e. Redress If a Church member believes that information held on record about themselves might be inaccurate, they should discuss their concerns with the Team Rector and / or PCC who will check. If necessary, the PCC will correct the information and/or append explanatory notes.

14. Use of personal information by the Church. The Church will be deemed to have permission to use personal data for three principal reasons:

a. Administration. The day-to-day administration of the Church, such as pastoral care and over-sight, including calls and visits, preparation of ministry rotas, maintaining financial records of giving for audit and tax purposes, etc. The Church electoral roll (Canon Law required the PCC to compile this document). Recent test cases confirm that the electoral roll can be maintained in an electronic format.

b. Publicity. Contacting Church members in order to publicise appropriate Church activities. Multiple addressee e mails to non committee members are to be sent blind copy.

c. Statistics. The Church of England centrally, and the Diocese of Manchester, occasionally require the Church to provide statistics and statistical analyses. These data are always submitted anonymously; no personal data is ever sought by the Diocese nor will it ever be given.

15. Maintaining Confidentiality. In order to maintain confidentiality, general recommendations include:

a. Treat *all* personal information as private and confidential.

b. Anyone in receipt of personal data should never disclose it to anyone other than the overseers and/or coordinators authorised by the PCC in order to facilitate the administration and day-to-day ministry of the Church.

c. All Church staff and volunteers who have access to personal data will be required to agree to and sign both a Confidentiality Disclaimer and a copy of this Data Protection Policy.

16. The Law currently permits four exceptional circumstances to the above:

a. Where we are legally compelled to do so e.g. the Church Electoral Roll and Child Protection.

b. Where there is a duty to the public to disclose.

c. Where disclosure is required to protect the interest of the Church.

d. Where disclosure is made at the request of an individual, and their consent is minuted.

17. **Sensitive Data.** Some of the data held in personal records may be of a sensitive nature. That is why the Church will only store sensitive data when it is relevant and necessary in order to manage and monitor someone's employment or performance at work, or for sensitive pastoral reasons.

18. If any Church worker discloses personal information about another person, or breaches this policy in any way, we will consider them to have committed a serious offence, which will result in appropriate action being taken.

19. **Subject Content .** The need to process data for normal purposes has been communicated to all data subjects. In some cases, if the data is sensitive, for example information about health, race or gender, express consent to process the data must be obtained.

20. **Data Security** covers a number of important areas:

a. Data should be secured appropriately according to its format. Manual records should be kept in locked containers, electronic information should be password protected and/or encrypted. Records should be disposed of securely; by shredding for manual records and by authorised disposal methods. Staff should not create new electronic or manual systems that contain personal data without consultation with the Data Protection Officer. Church staff/officers should not disclose personal data requested by any other party.

b. Protocol In order to keep personal data secure the following controls will be followed:

(1) Storage. Personal data, whether in written or electronic form, will normally be kept at The Vicarage.

(2) Permitted personnel. With the approval of the PCC, personal data may be held at the home of other church officers

(3) Computer security. All personal data stored on a computer (PC, laptop, tablet, iPhone, etc.) must have access to that data controlled by means of a personal password that is known only to persons authorised to use that data for a legitimate purpose.

(4) Data transfer. Personal data must not be transferred between computers by means of email because of the insecure nature of email. Data may be transferred by means of physical electronic means, e.g. memory stick or CD.

21. **Photographs** Should any photos be taken for Church use, consent will be sought from the individuals concerned if an adult, or from their parents if under the age of 18. In each case, it will make it clear why we are using the individual's image, what it will be used for, who might look at the pictures and how long it will be kept.

22. **Forms** When requesting data from individuals, it will usually be deemed necessary to include the following paragraph, with appropriate amendments depending on the context and purpose for which the data is to be collected:

"In completing this form, you agree that St John the Baptist, Hey may collect, process, store and use any personal information which you may provide us with, for the purposes of keeping your child safe and / or providing you with information about our current and future programme of activities and facilitating administration."

23. **CCTV / Camcorder.** The Church does not have any CCTV. The use of digital

recorders is not allowed. A live feed may be used to project services but images are not stored.

24. **Responsibilities.** Overall and final responsibility for Data Protection rests with the PCC. Day-to-day responsibility for ensuring this policy is put into practice is delegated to the Team Rector assisted by the two elected Church wardens in Office.

Policy written in March 2013

Reviewed in March 2015