

# Data Protection Policy 2020

## Policy Statement

Counterslip Baptist Church is committed to protecting personal data and respecting the rights of our **data subjects**; the people whose **personal data** we collect and use. We value the personal information entrusted to us and we respect that trust, by complying with all relevant laws, and adopting good practice. We process personal data to help us: maintain our list of church members [and regular attenders]; provide pastoral support for members and others connected with our church; provide services to the community including [Toddler Group, Foodbank]; safeguard children, young people and adults at risk; recruit, support and manage staff and volunteers; undertake research; maintain our accounts and records; promote our goods and services; maintain the security of property and premises; respond effectively to enquirers and handle any complaints.

## How this applies to you

**As an employee, trustee or volunteer** processing personal information on behalf of the church, you are required to comply with this policy. If you think that you have accidentally breached the policy it is important that you contact our Data Protection Officer immediately so that we can take swift action to try and limit the impact of the breach.

**Anyone** who breaches the Data Protection Policy may be subject to disciplinary action, and where that individual has breached the policy intentionally, recklessly, or for personal benefit they may also be liable to prosecution or to regulatory action.

**As a leader/manager:** You are required to make sure that any procedures that involve personal data, that you are responsible for in your area, follow the rules set out in this Data Protection Policy.

**As a data subject** of Counterslip Baptist Church: We will handle your personal information in line with this policy.

**As an appointed data processor/contractor:** Companies who are appointed by us as a data processor are required to comply with this policy under the contract with us. Any breach of the policy will be taken seriously and could lead to us taking contract enforcement action against the company, or terminating the contract. Data processors have direct obligations under the GDPR, primarily to only process data on instructions from the controller (us) and to implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk involved.

**Our Data Protection Officer** is responsible for advising Counterslip Baptist Church and its staff and members about their legal obligations under data protection law, monitoring compliance with data protection law, dealing with data security breaches and with the development of this policy. Any questions about this policy or any concerns that the policy has not been followed should be referred to them at [Office@counterslip.org](mailto:Office@counterslip.org)

## Your rights

We will process personal data in line with data subjects' rights, including their right to: request access to any of their personal data held by us (known as a Subject Access Request); ask to have inaccurate personal data changed; restrict processing, in certain circumstances; object to processing, in certain circumstances, including preventing the use of their data for direct marketing; data portability, which means to receive their data, or some of their data, in a format that can be easily used by another person (including the data subject themselves) or organisation; not be subject to automated decisions, in certain circumstances; and withdraw consent when we are relying on consent to process their data. If a colleague receives any request from a data subject that relates or could relate to their data protection rights, this will be forwarded to our Data Protection Officer **immediately**. We will act on all valid requests as soon as possible, and at the latest within **one** calendar month, unless we have reason to, and can lawfully extend the timescale. This can be extended by up to two months in some circumstances. All data subjects' rights are provided free of charge. Any information provided to data subjects will be concise and transparent, using clear and plain language.

## Security of personal data

We will use appropriate measures to keep personal data secure at all points of the processing. Keeping data secure includes protecting it from unauthorised or unlawful processing, or from accidental loss, destruction or damage. We will implement security measures which provide a level of security which is appropriate to the risks involved in the processing. Measures will include technical and organisational security measures. In assessing what measures are the most appropriate we will take into account the following, and anything else that is relevant: the quality of the security measure; the costs of implementation; the nature, scope, context and purpose of processing; the risk (of varying likelihood and severity) to the rights and freedoms of data subjects; the risk which could result from a data breach. Measures may include: technical systems security; measures to restrict or minimise access to data; measures to ensure our systems and data remain available, or can be easily restored in the case of an incident; physical security of information and of our premises; organisational measures, including policies, procedures, training and audits; regular testing and evaluating of the effectiveness of security measures.

## Data Protection Liaison

Andrea Laity - Contactable via the church office. Tel: 01275 833777. Email: [Office@counterslip.org](mailto:Office@counterslip.org)

# The churches responsibility

Counterslip Baptist Church is responsible for ensuring that personal data is: fairly and lawfully processed; processed for limited purposes; to be adequate, relevant and not excessive; accurate and up to date; not kept for any longer than is necessary; processed in line with the data subjects' rights; processed securely and not to be transferred to other countries without adequate protection.

## **Personal Data:**

Counterslip will only process personal data if at least one of these legal conditions, as listed in Article 6 of the GDPR, is met: processing is necessary for a contract with the data subject; processing is necessary for us to comply with a legal obligation; processing is necessary to protect someone's life; processing is necessary for us to perform a task in the public interest, and the task has a clear basis in law; processing is necessary for legitimate interests pursued by Counterslip Baptist Church or another organisation, unless these are overridden by the interests, rights and freedoms of the data subject. If none of the other legal conditions apply, the processing will only be lawful if the data subject has given their clear consent.

## **Special Categories of Data:**

Counterslip may sometimes process 'special categories' of personal data (includes information about a person's: racial or ethnic origin; political opinions; religious or similar beliefs; trade union membership; health (physical/mental, and the provision of health care services); genetic data; biometric data; sexual life and sexual orientation), when it does so it will do so lawfully in accordance with the conditions listed in article 9 of GDPR.

## **Data collection:**

If personal data is collected directly from the individual, we will inform them about our identity/contact details, the reasons for processing, and the legal bases, explaining our legitimate interests, and explaining, where relevant, the consequences of not providing data needed for a contract or statutory requirement; who we will share the data with; if we plan to send the data outside of the European Union; how long the data will be stored and the data subjects' rights. This information is commonly referred to as a 'Privacy Notice'. This information will be given at the time when the personal data is collected.

If data is collected from another source we will provide the data subject with the information described above as well as: the categories of the data concerned; and the source of the data, in writing and no later than within 1 month after we receive the data, unless a legal exemption under the GDPR applies. If we use the data to communicate with the data subject, we will at the latest give them this information at the time of the first communication.

## **Consent To Process:**

Where none of the other legal conditions apply to the processing, and we are required to get consent from the data subject, we will clearly set out what we are asking consent for, including why we are collecting the data and how we plan to use it. Consent will be specific to each process we are requesting consent for and we will only ask for consent when the data subject has a real choice whether or not to provide us with their data. Consent can however be withdrawn at any time and if withdrawn, the processing will stop. Data subjects will be informed of their right to withdraw consent and it will be as easy to withdraw consent as it is to give consent.

## **Passing On Data:**

If we plan to pass the data onto someone else outside of Counterslip Baptist Church, we will give the data subject this information before we pass on the data.

## **Training:**

We will provide general training whenever possible in a variety of forms for all staff to raise awareness of their obligations and our responsibilities, as well as to outline the law. We may also issue procedures, guidance or instructions from time to time. Managers/leaders must set aside time for their team to look together at the implications for their work.

## **Direct Marketing:**

We will comply with the rules set out in the GDPR, the Privacy and Electronic Communications Regulations (PECR) and any laws which may amend or replace the regulations around direct marketing. This includes, but is not limited to, when we make contact with data subjects by post, email, text message, social media messaging, telephone (both live and recorded calls) and fax. Direct marketing means the communication (by any means) of any advertising or marketing material which is directed, or addressed, to individuals. "Marketing" does not need to be selling anything, or be advertising a commercial product. It includes contact made by organisations to individuals for the purposes of promoting the organisation's aims. Any direct marketing material that we send will identify Counterslip Baptist Church as the sender and will describe how people can object to receiving similar communications in the future. If a data subject exercises their right to object to direct marketing we will stop the direct marketing as soon as possible.

## **Data Protection Breaches**

Where staff or volunteers, [or contractors working for us], think that this policy has not been followed, or data might have been breached or lost, this will be reported **immediately** to the Data Protection Officer. We will keep records of personal data breaches, even if we do not report them to the ICO. We will report all data breaches which are likely to result in a risk to any person, to the ICO. Reports will be made to the ICO within **72 hours** from when someone in the church becomes aware of the breach. In situations where a personal data breach causes a high risk to any person, we will (as well as reporting the breach to the ICO), inform data subjects whose information is affected, without undue delay. This can include situations where, for example, bank account details are lost or an email containing sensitive information is sent to the wrong recipient. Informing data subjects can enable them to take steps to protect themselves and/or to exercise their rights.