

Parish of Aberdare St Fagan Policy on Data Protection July 2018

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Aims of this Policy

The Parish of Aberdare St Fagan needs to keep certain information on its parishioners, volunteers and service users to carry out its day to day operations, to meet its objectives and to comply with legal obligations.

The Parish is committed to ensuring any personal data will be dealt with in line with the Data Protection Acts 1998 and 2018. To comply with the law, personal information will be collected and used fairly, stored safely and not disclosed to any other person unlawfully.

The aim of this policy is to ensure that everyone handling personal data is fully aware of the requirements and acts in accordance with data protection procedures. This document also highlights key data protection procedures within the Parish.

This policy covers parishioners, volunteers and service users. It applies to personal data, which means data relating to a living individual who can be identified from the data. This includes photographic images of living individuals.

Definitions

In line with the Data Protection Acts 1998 and 2018, and the General Data Protection Regulation (GDPR)¹²³ principles, St Fagans Aberdare will ensure that personal data will:

- Be obtained fairly and lawfully and shall not be processed unless certain conditions are met
- Be obtained for a specific and lawful purpose
- Be adequate, relevant but not excessive
- Be accurate and kept up to date
- Not be held longer than necessary
- Be processed in accordance with the rights of data subjects
- Be subject to appropriate security measures
- Not to be transferred outside the European Economic Area without adequate protection

The definition of 'Processing' is obtaining, using, holding, amending, disclosing, destroying and deleting personal data. This includes some paper based personal data as well as that kept on computer.

The Personal Data Guardianship Code⁴ suggests five key principles of good data governance on which best practice is based. The Parish will seek to abide by this code in relation to all the personal data it processes, i.e.

- **Accountability:** those handling personal data follow publicised data principles to help gain public trust and safeguard personal data.
- **Visibility:** Data subjects should have access to the information about themselves that the Parish holds. This includes the right to have incorrect personal data corrected and to know who has had access to this data.
- **Consent:** The collection and use of personal data must be fair and lawful and in accordance with the DPA's eight data protection principles. Personal data should only be used for the purposes agreed by the data subject. If personal data, including photographic images, is to be shared with a third party or used for another purpose, the data subject's consent should be explicitly obtained.
- **Access:** Everyone should have the right to know the roles and groups of people within the Parish who have access to their personal data and who has used this data.

¹ <https://www.gov.uk/data-protection/the-data-protection-act>

² <http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

³ <https://gdpr-info.eu/>

⁴ <http://policy.bcs.org/content/personal-data-guardianship-code>

- **Stewardship:** Those collecting personal data have a duty of care to protect this data throughout the data life span.

Register of Systems

To ensure its processing of data is lawful, fair and transparent, the Charity shall maintain a Register of Systems. A Register of Systems means a register of all systems or contexts in which personal data is processed by the Parish.

The Register of Systems shall be reviewed at least annually.

Lawful purposes

All data processed by the Parish must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests.

The Parish shall note the appropriate lawful basis in the Register of Systems.

Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.

Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in the Parish's systems.

Type of information processed

The Parish of Aberdare St Fagan processes personal information (including name, contact details and photographs) and information about the services that the Parish has provided, for individuals who fall within the following categories:

- Volunteers (e.g. PCC members, leadership team members, youth leaders, Parish Office volunteers)
- Customers and clients (e.g. hirers of the Parish Hall, baptism or marriage candidates)
- Members or supporters (e.g. Parish Electoral Roll members, regular attendees of Parish services and events, Parish Magazine subscribers)
- Relatives, guardians and associates of the data subject (e.g. parents of baptism and confirmation candidates, next of kin of deceased persons for whom we take funerals)

Personal information is kept in the following forms:

- Electronically stored data, including data stored on the Parish office computer and desktop computers, laptops, tablet devices, mobile phones, data sticks, disks owned by volunteers within the Parish
- Data sent via email
- Paper data, including forms, registers, or printed databases such as the Electoral Roll
- Data collected via the telephone

People within the Parish who will process personal information are Parish volunteers and the Vicar.

Notification

The needs we have for processing personal data are recorded on the public register maintained by the Information Commissioner. We notify and renew our notification on an annual basis as the law requires for the following purposes:

- Advertising, marketing and public relations
- Accounts and records
- Pastoral care
- Processing by not-for-profit organisations

If we need to collect data for any purpose not stated above, we will notify the Information Commissioner within 28 days.

The name of the Data Controller within our Parish as specified in our notification to the Information Commissioner is Father Richard Green (Vicar of the Parish).

Responsibilities

Under the Data Protection Guardianship Code, overall responsibility for personal data in a not for profit organisation rests with the governing body. In the case of St Fagans Aberdare, this is the Parish Church Council (PCC).

The PCC delegates tasks to the Data Controller, Father Richard Green. Father Richard Green is responsible for:

- understanding and communicating obligations under the Act
- identifying potential problem areas or risks
- producing clear and effective procedures
- notifying and annually renewing notification to the Information Commissioner, plus notifying of any relevant interim changes

Everyone who process personal information must ensure they not only understand but also act in line with this policy and the data protection principles.

Policy Implementation

To meet our responsibilities the PCC will:

- Ensure any personal data is collected in a fair and lawful way;
- Explain why it is needed at the start;
- Ensure that only the minimum amount of information needed is collected and used;
- Ensure the information used is up-to-date and accurate;
- Review the length of time information is held;
- Ensure it is kept safely;
- Ensure the rights people have in relation to their personal data can be exercised

We will ensure that:

- Everyone managing and handling personal information is trained to do so.
- Anyone wanting to make enquiries about handling personal information, whether a member of staff, volunteer or service user, knows what to do;
- Any disclosure of personal data will be in line with our procedures.

Training

Training and awareness raising about the Data Protection Act and how it is followed in this Parish will take the following forms:

- Tailored crib sheets for data processors within the Parish (including Parish volunteers and the Vicar)
- Annual article in the Parish magazine about Data Protection
- Data Protection statement on all paper forms where people supply personal information
- Standard statement read to people who are providing personal information via the telephone.

Privacy notices

The Parish will send a privacy notice to every person whose personal data is currently held by the Parish. This notice will include:

- The purpose for which the data is held
- The period for which the data will be retained
- Who the data is shared with

The privacy notice will also be given to every person whose personal data is collected in the future. The PCC will be responsible for drafting the privacy notice and deciding how it will be distributed.

Gathering and checking information

Before personal information is collected, we will consider whether the information is required, what information is required, how it is going to be stored, and who is going to have access to it.

We will inform people whose information is gathered that we are keeping their data and storing it in accordance with DPA for the purposes of providing them with a service and keeping them informed about activities in the Parish.

To ensure that personal information kept is accurate we will contact everyone on the list every three years giving them the opportunity to update their data. We will also respond to people who ask to have their details updated.

Personal sensitive information will not be used apart from the exact purpose for which permission was given.

Data security

The Parish will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful processing of personal data and against accidental loss, destruction or damage. This includes:

- Taking steps to control physical security (records are all kept in a locked filing cabinet within a locked office)
- Putting in place controls on access to information such as password protection on files and server access
- Establishing a disaster recovery plan (the Parish takes regular back-ups of its computer data files and this is stored away from the Parish office at a safe location)
- Detecting and investigating breaches of security should they occur

Some volunteers require access to data when they are away from the Parish Office. The Parish will keep a record of volunteers who store personal data on their own devices; and what data they store.

Volunteers must ensure that:

- They only keep data which they need
- They use encrypted/password protected devices
- If personal data is updated away from the Parish Office, the Parish Office database is also updated
- Personal data is not stored on home computers for longer than necessary
- Personal data taken away from the Parish Office is stored securely at all times and out of public view
- All personal data which taken away from the Parish Office is returned or destroyed as soon as it is no longer required
- The PCC is immediately informed if personal data has been lost, stolen, damaged or destroyed.

Any unauthorised disclosure made by a Parish volunteer may result in the termination of the volunteering agreement.

Direct Marketing

If we are collecting personal data for the purposes of direct marketing, we will inform people and gain their consent to do this.

Where data is collected, processed or stored outside the UK, for example on a cloud-based database system, we will ensure that these platforms are compliant with the principles of the Data Protection Act and provide assurances about security. Wherever possible we will ensure that the platform is a member of the internationally recognised 'Safe Harbour Framework'.

The following statement should be used consistently across all our forms where personal data is collected:

The Parish of St Fagans Aberdare will store your information in line with the principles of the Data Protection Act. We would like to contact you by phone, email or post in order to tell you about Parish activities that may of interest to you. Is this ok? Yes/No

You may change these preferences at any time. To do this or for any information about our data protection policy, please call 01685 877900.

Signature _____

Subject Access Requests

Anyone whose personal information we process has the right to know:

- What information we hold and process on them
- How to gain access to this information
- How to keep it up-to-date
- What we are doing to comply with the Act.

They also have the right to prevent processing of their personal data in some circumstances and the right to correct, rectify, block or erase information regarded as wrong.

Individuals have a right under the Act to access certain personal data being kept about them on computer and certain files. Any person wishing to exercise this right should apply in writing to the Vicar, Father Richard Green.

The following information will be required before access is granted:

- Name of the Data Subject
- Contact details of the Data Subject

We may also require proof of identity before access is granted. Photographic ID such as a passport or drivers licence may be required.

Queries about handling personal information will be dealt with swiftly and politely. We will aim to comply with requests for access to personal information as soon as possible, but will ensure it is provided within the 1 month required by the Act from receiving the written request.

Breaches of data security

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the Parish shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the Information Commissioner's Office.

Review

This policy will be reviewed at intervals of 3 years to ensure it remains up-to-date and compliant with the law. The next review date is July 2021