

EVANGELICAL CHURCH

Data Protection Policy

General Data Protection Regulation *(GDPR)*

The way in which we collect, use, store and distribute data is in compliance with the **General Data Protection Regulation (GDPR)** Act, which came into force on 25th May 2018.

GDPR requires that data must be:

i. Processed lawfully, fairly and in a transparent manner in relation to individuals *(data subjects)*.
ii. Collected for specific, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purpose in the public interest, scientific or historical research purposes or statistical purposes should not be considered to be incompatible with the initial purpose.
iii. Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processes.
iv. Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that inaccurate personal data is erased or rectified without delay.
v. Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which their personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures require by the GDPR in order to safeguard the rights and freedoms of individuals.
vi. Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

1. Our Commitment

PEC is committed to the following eight key rights surrounding the use of data.

1.1 The right to be informed

All data subjects have the right to PEC's policy on data protection, and information on GDPR should be provided in a concise, transparent, intelligible and easily accessible form, using clear and plain language.

Our GDPR policy will be available on our website *(when possible),* and available in both electronic and paper form should you request it.

Please inform one of the church Trustee's should you need clarification on any of the information contained within our Data Protection Policy.

1.2 The right of access

All data subjects have the right to obtain information on data stored by the church, together with an explanation of the categories of data being processed, the purposes of such processing the categories, of any third parties, the period for which the data will be stored or any other information required by the data subject to whom the data may be disclosed.

This is done by filing a Subject Access Request (SAR) *(see section -)*.

SAR's should be responded to by the church within one month.

1.3 The right to rectification

Data subjects have the right to update their details, correct errors and omit details whenever they choose.

This should be done in writing/ email and passed onto one of the church trustee's

1.4 The right to erasure

Data subjects can request to have all or some of their data deleted when no longer required for its original purpose or when they decide that they no longer give consent for the church to hold their data.

1.5 The right to restrict data processing

PEC has a legal right to restrict access/ alteration of data by the data subject where other laws permit.

There are some circumstances where the law will request that data is retained or passed on *(e.g where legal documents are involved or where criminal activity is involved)*.

In this case, the data subject can still restrict the use of data by the church, where the law allows. Where data isn't affected by legal constraints, all other GDPR points apply.

1.6 The right to portability

The data subject has the right to request a copy of all data stored by PEC in an easily accessible electronic form *(e.g.* .docx *(MS Word)* or .pdf) or paper form.

1.7 The right to object

The data subject has the right to object to the processing of their personal data on certain grounds, in addition to the right to object to the processing carried out for the purposes of profiling or direct marketing.

Please note that objecting to the processing of certain information may lead to the data subjects self or child being unable to participate in certain activities (e.g. medical info on a consent form).

1.8 Rights in relation to automated decision making and profiling

The data subject has the right to not be subject to decisions based solely on automated processing which will significantly affect them.

This is not a common occurrence at PEC, however it is our duty to inform you of your right in this area should it ever come up.

2. The Collection of Data

2.1 In most cases, data will be collected by means of a form that the data subject will fill out.

Where help is needed, the questions can be read out and information filled in on the data subjects behalf.

We will ask data subject for a declaration concerning the datas use and for a signature as the data subject's permission. A declaration will usually consent of a simple yes/ no tick box.

2.2 The GDPR states that collection of personal data sets the age of consent at 16. All details for children/ youths under 16 shall be given via an appropriate adult. GDPR issues regarding under 16's should be in compliance with the PEC Child Protection Policy.

2.3 We will not obtain your data via any other source, except where we have your explicit permission.

2.4 When data is collected for specific events/ occasions, we will not use your data to contact you regarding other events/ occasions, unless you have given prior consent.

3. The Storage of Data

3.1 Printed/ hand written forms and data sources will be, *when practically possible,* stored in a locked, fireproof storage facility.

3.2 Electronic data sources will be kept on a restricted access computer/ cloud facility with reasonable security, safety and password measures in place.

3.3 Access is restricted to the PEC trustee's and group or event leaders/ organiser(s). You have the right to restrict access to your data to specific people in accordance to the GDPR.

3.4 All people with access to data should have a reasonable understanding of GDPR and the PEC Data protection policy.

4. The Sharing of Data

In most cases, there is no need to share data and so with any time data is given it is assumed that the data will not be passed onto any third parties.

Should we require to do so:

4.1 There will be an opt-in declaration on our data collection method.

4.2 Where data has already been collected, a separate declaration should be filled out by the data subject, giving permission to share information.

4.3 When data is held by a third party, it is done so under their data protection policy and compliance to the GDPR, however we will do our utmost to ensure that any third parties are reliable.

4.4 PEC is responsible of the safe transfer of data to any third parties.

4.5 Data **will not** be shared amongst group/event members or church members/attendees by the one who holds it, without prior consent, *via an opt-in declaration,* from the data subject.

5. The Requesting of Data

In accordance with GDPR, data subjects have the right to request access all their data that held by PEC. This includes CCTV/ video footage and photographs, as well as written personal data, where the data subject is the primary focus and is clearly identifiable.

This is done by means of a Subject Access request (SAR).

5.1 All SAR's are subject to the availability of the appointed person holding the data and the data retention periods.

5.2 SAR's should be submitted in a written *(typed/ handwritten)* format.

5.3 SAR's should be submitted to one of the PEC trustee's *(Pastor/ Elders/ Deacons)*. Following that, the data subject will be appointed a contact person to deal with their request.

5.4 If the PEC trustees deem a SAR not permissible, it should be rejected in writing, clearly explaining why, and signed by at least two of the trustees.

5.5 Once a SAR has been rendered permissible *(also confirmed in writing)*, PEC has 30 days to supply the day subject with all data requested.

5.6 When data is handed over, it should either be done so using recorded delivery with a cover letter signed by two or more of the trustee's or by hand by a trustee with one other trustee present. If the data subject wants to appoint a person to collect the data *(either in person or by post)* it must be done so in writing and submitted to the appointed person dealing with the SAR.

5.7 Excessive requests/ re-requests can be refused.

5.7.1 There is no need for excessive re-requesting, especially within the 30 day period.

5.7.2 Re-requesting is not deemed excessive if it occurs outside the 30 day period.

5.7.3 A request is excessive when it does not take into account e.g. a reasonable time required to collate the data, availability of personnel/ technology required to access the data, expired data retention periods, request for unauthorised data and the like.

5.7.4 If a SAR is deemed excessive, the data subject will be verbally informed by the appointed person, explaining why. If excessive re-requesting continues, the data subject will receive a second request, *written and signed by two trustees,* once again explaining why and kindly requesting them to stop. If it continues after that, the data subject will receive a second letter, *signed by two trustees',* informing them that due to their excessive requesting, their SAR has been refused.

6. The Duration & Deletion of Data

6.1 Where data is collected for a particular event/ group/ occasion, the data will be deleted following that event/ group/ occasion, unless the data subject requests their data to be retained for a different event/ group/ occasion.

6.2 If a data subject desires to have their data transferred to another event/ group/ occasion/ mailing list, etc, they can do so by filling out a simple declaration.

6.3 Data for Groups that return on an annual basis may be retained year in year out. Data subjects reserve the right to amend or have their data deleted at any time. PEC may delete such data when it is no longer required e.g. when a child is no longer of the correct age for a club.

6.4 Data of church members/ regular attenders will be kept indefinitely at the request of the data subject. Data may be removed from records where a member resigns or 1 year from the point where we lose contact with the data subject, unless otherwise requested.

6.5 Data will be removed/ destroyed using an appropriate, secure means.

7. Data Breaches

A personal data breach is a breach of security leading to the accidental or unlawful destruction, loss, alteration or unauthorised disclosure or access to personal data transmitted, stored or otherwise processed.

7.1 If data is breached, and that breach could lead to material or emotional harm, then PEC has just 72 hours *(from the point of realisation)* to declare it to the Information Commissioners Office (ICO) and, if severe, the data subject.

7.2 All data subjects should report any data breaches to one of the PEC trustees.

7.3 The data subject can report PEC to the ICO, should they fail to deal with a breach.

7.4 Encrypted *(protected by a password)* data breaches, that will not cause harm, need not be reported to the ICO, unless the encryption is broken.