

Date policy adopted by the trustees:	December 2024	Latest date for renewal of the policy:	December 2025
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## Overview

Gillingham Community Church (GCC) is committed to the proper and lawful treatment of personal data. All personal data, held by GCC will conform to the appropriate legal safeguards as laid down in the Data Protection Act 2018.

GCC uses personal data about living individuals solely to facilitate:

1. Normal church administration including employee data, partnership records, rotas, lettings and financial records of giving for tax purposes
2. Church groups, clubs and other activities
3. Pastoral care
4. The production of a church directory
5. Communication regarding church activities
6. The provision of services to the general community.

## Scope

This policy applies to all trustees, staff employed or subcontracted by GCC and to all volunteers and group leaders and must be adhered to by them, together with any detailed guidelines published separately for this purpose. We will do our utmost to ensure that all trustees, staff employed or subcontracted by GCC and to all volunteers and group leaders are conversant with data protection legislation and practice.

## Definition of data

Data is information, recorded with the intention of being processed on a computer or recorded as part of a relevant filing system (manual system).

Personal data is data relating to a living individual, who can be identified either:

- From the data; or
- From the data, which includes an expression of opinion about the individual (eg partnership name and address details).

Sensitive personal data (eg data held for the purpose of pastoral care) is data relating to:

- Racial or ethnic origins of the person;
- Political opinions;
- Religious beliefs or other beliefs of a similar nature;
- Trade union membership;
- Physical or mental health;
- Sexual life;
- The commission or alleged commission of any offence; and
- Any proceedings for any offence committed or alleged to have been committed by the data subject.

In order to process personal data, consent must be obtained from the individual by the organisation handling the data. Explicit consent must be given when it is sensitive personal data. Additional safeguards are therefore in place where sensitive personal data is concerned.

## Data processing

GCC will only process data if at least one of the following conditions is satisfied:

1. The processing is necessary to further the "legitimate interests" of GCC if such processing does not prejudice the "right and freedoms or legitimate interests" of the person concerned. If GCC processes data under this condition, there is no requirement to obtain consent from the person concerned, but we will always ensure that GCC respects that person's rights. This includes the rights of those who provide services to GCC such as tradespeople.
2. The person concerned has given consent. The consent may be explicit or implicit. By way of an example, a person who emails the church is deemed to give implicit consent for his or her contact details to be stored in such a way that enables the church to respond to the email.
3. In compliance with a legal obligation (eg a court order requiring disclosure of data).

## The eight principles of data handling

GCC upholds the eight principles of data handling required by the Data Protection Act. The purpose of these principles is to specify the mandatory conditions that must be satisfied in relation to obtaining, handling, processing, transportation and storage of personal data. Trustees, staff and any others who obtain, handle, process, transport and store personal data for or on behalf of GCC must always adhere to these principles.

In summary, these principles require that personal data is:

1. Processed fairly, lawfully and not at all unless certain conditions are met.
2. Only gathered for a specified and lawful purpose and not processed in any manner incompatible with that purpose.
3. Adequate, relevant and not excessive for those purposes.
4. Accurate and, where necessary, kept up to date.
5. Not kept for longer than necessary for that purpose.
6. Processed in accordance with the data subject's rights.
7. Kept secure from unauthorised or unlawful processing and protected against accidental loss, destruction or damage by using the appropriate technical and organisational measures.
8. Not transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data (GCC does not envisage any circumstances in which a transfer of data outside the UK would occur).

GCC will treat all the personal data provided by individuals as private and confidential and not disclose any data about them to anyone else other than the trustees, staff employed or subcontracted by GCC and to all volunteers and group leaders solely to facilitate the administration and ministry of the church. However, there are four exceptional circumstances to the above permitted by and anticipated in the legislation where GCC will disclose personal data when:

1. Legally compelled to do so;
2. There is a duty to the public to disclose;
3. It is required to protect an individual's interest; and

4. It is made at an individual's request or with their consent.

## Applying these principles

1. All GCC trustees, staff employed or subcontracted by GCC and all volunteers and group leaders who process personal data on behalf of the church will be required to agree to sign our data processing policy.
2. The trustees will appoint a Data Protection Officer (DPO). All questions and concerns in relation to this policy should be addressed to the DPO, who can be contacted via the church office. As at 19<sup>th</sup> March 2024 this person is Pete Bond.
3. GCC will ensure that all personal data collected is necessary for church purposes and is not kept for longer than needed.
4. Individuals supplying the data are aware of this policy and how to obtain a copy
5. All individuals, whose names and contact details are published in the church directory, will be asked to give explicit consent for their details to be included. Specific data will be removed from the directory if the individual requests this.
6. Personal data, including photographs of individuals, will not be published on our website without obtaining explicit and informed consent from the individuals concerned or their parents. We will not publish the names of children and young people alongside their photographs.
7. If public worship meetings are to be video streamed or recorded, as a minimum a notice will be clearly visible at the entrance to the meeting, informing the congregation that the service is to be live-streamed or video recorded, and advising them of seating areas which will NOT be recorded, if they do not wish to be identifiable during the service.
8. We will ensure that church partners and attendees are aware of who to contact to update the data held about them by GCC.
9. A copy of this policy is on the GCC website and available from the church administrator.
10. All personal data held by trustees, staff employed or subcontracted by GCC and to all volunteers and group leaders on behalf of GCC will be held and processed in a sufficiently secure manner, whether physically or in electronic form, to prevent unauthorised access. This means we will:
  - Store paper-based data in secure, lockable cupboards;
  - Use password protections and, if appropriate, encryption of particularly sensitive electronic documents;
  - Restrict access to both paper and electronic personal data to those who need to process it for one of the above uses.
  - Ensure that personal data is sent securely in a way that cannot be intercepted by unintended recipients. When using mobile devices, please set your device not to show messages on the front screen, when locked. Also only use mobile devices that can be securely locked using a security code, facial recognition or fingerprint technology.

## Queries

Questions about data protection should be directed to the GCC DPO or one of the church leaders, via the church office.

## Access

GCC will provide procedures for individuals to access personal data held about them. Any such request should be made to the church office in writing and a response will be provided within one calendar month. Normally, no charge will be made for this.

The GCC trustees will review this policy on an annual basis.

Please note that for the Data Protection Act, the legal age of consent is considered to be 13 years.

## Complaints

Any person who believes that their data has been misused, or that GCC has not kept it secure, should contact the church office. If they are unhappy with the response, they can get further advice or make a complaint to the Information Commissioner's Office (ICO).

ICO

Telephone: 03030 123113

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

## Adoption of the policy

This policy was agreed by the trustees.

Signed by:



Position:

Chair of Trustees

Date:

December 2024

A copy of this policy is available on the Gillingham Community Church website and is held at Wessex House.