



# **New Ground Churches**

## **Data Protection Policy**

**August 2018**

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# DATA PROTECTION FOR NEW GROUND CHURCHES

## 1. SCOPE

This policy applies to all staff employed by or working on behalf of New Ground Churches, those subcontracted by New Ground Churches and to all volunteers and casual workers and associated companies.

## 2. CONTEXT

The Data Protection Act 1998 and GDPR require the protection of personal data and all organisations which process personal data must be registered to do so. New Ground Churches is registered with the Information Commissioner's Office.

## 3. PURPOSE

This policy sets out an understanding of data protection and the requirements of every member of staff, sub contractor, volunteer or casual worker in order that there may be full compliance with the current legislation.

## 4. DEFINITIONS

**4.1** New Ground Churches is currently registered to:

"Process personal information to enable us to provide a voluntary service for the benefit of the national public as specified in our constitution; administer membership records; to fundraise and promote the interests of the charity; manage our employees and volunteers; maintain our own accounts and records. Our processing also includes the use of CCTV systems for the prevention of crime."

**4.2** Data is information, which is recorded with the intention that it should be processed on computer or is recorded as part of a relevant filing system (ie manual system). There are two categories of data:

**4.2.1** Personal data is information relating to a living individual who can be identified:

- from the data
- from the data which includes an expression of opinion about the individual

Example: membership name and address details

**4.2.2** Sensitive personal data is information relating to:

- racial or ethnic origins of the data subject
- political opinions
- religious beliefs or other beliefs of a similar nature
- trade union membership
- physical or mental health
- genetic data
- biometric data
- sexual life and sexual orientation
- the commission or alleged commission of any offence

- any proceedings for any offence committed or alleged to have been committed by the data subject

In order to process these types of data consent from the data subject must be obtained by the organisation handling the data. Explicit consent must be given when it is sensitive personal data.

## 5. POLICY

New Ground Churches has a data protection policy to ensure that it complies with all aspects of data protection legislation by setting out clear policies, responsibilities and codes of practice:

**5.1** New Ground Churches intends to comply fully with all aspects of data protection legislation.

**5.2** New Ground Churches will make all reasonable efforts to maintain a comprehensive written notification with the Data Protection Commissioner.

**5.3** New Ground Churches will do its utmost to ensure that all its staff, consultants and trustees are conversant with data protection legislation and practice.

**5.4** New Ground Churches will only hold data for prescribed charitable purposes. These are personnel administration, membership administration, relations, fundraising, charity objectives and pastoral care.

**5.5** New Ground Churches will not pass personal data to third parties. This means the Charity will not sell/exchange its data to/with other organisations.

**5.6** New Ground Churches will use statements about data protection in all New Ground Churches' literature in which personal data is collected, which will either be the full Privacy Notice (see Appendix 3) or, if abbreviated, will indicate where the full notice can be found.

**5.7** New Ground Churches will provide procedures for access to personal data for all those for whom personal data is held. No charge should be levied on anyone (staff, personal members or other contacts) requesting access to their personal data. This will be reviewed if there is a high level of requests for access.

**5.8** In particular, New Ground Churches will make sure that all personal data is:

- processed **lawfully, fairly and in a transparent manner**;
- processed for **specified, explicit and legitimate purposes** and not in a manner that is incompatible with those purposes;
- **adequate, relevant and limited to what is necessary** for the purposes for which it is being processed;
- **accurate** and, where necessary, up to date;
- **not kept longer than necessary** for the purposes for which it is being processed;
- processed in a **secure** manner, by using appropriate technical and organisational means;
- processed in keeping with the **rights of data subjects** regarding their personal data.

## 6. SECURITY

**6.1** All personal and sensitive personal data held must be secure against unauthorised access and theft. Password protection is the most obvious means, but the server, filing cabinets and building in which the data is held must also be secure.

**6.2** New Ground Churches needs to ensure that:

- The IT network is as secure as possible from unauthorised access, including access through the website
- Individual computers/laptops are password protected
- Individual computers/laptops are logged off when individuals are away from their desk for more than few minutes at a time
- Personnel and other files holding sensitive or confidential personal data are secured and only made available to staff/volunteers with authorised access

## 7. CONTACTS: COLLECTION OF DATA

**7.1** We will make sure the data subject knows who we are and why and how the data will be used and that the data is relevant to the work of New Ground Churches.

**7.2** If individuals are being added to the New Ground Churches' database or manual filing system they need to be informed of how the Charity will store and use their data at the time the data is collected, 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 will require our Data Privacy Statement to be included in all written requests for data. For phone, email or face-to-face collection, the Privacy Statement should be read, emailed, a printed copy provided or referred to NGC website. (These statements are not required if the manner in which the data is collected makes it obvious how it will be used, but will be necessary if the data may be used for other purposes.)

**7.3** If data is collected from another source, rather than directly from the data subject, we will provide the data subject with the information described in section 7.2 as well as the categories of the data concerned; and the source of the data. This information will be provided to the individual 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. If we plan to pass the data onto someone else outside of New Ground Churches, we will give the data subject this information before we pass on the data.

**7.4** New Ground Churches' Privacy Statement must appear on all forms that people complete as a means of registering with the Charity, including those on the web. If they have not completed a form which includes the Privacy Statement then the statement must be included in a letter or email to the individual.

**7.5** We will obtain consent from the data subject to use their data, especially if it is 'sensitive' data, ie covering racial or ethnic origin; religious or political beliefs, Trade Union Membership; Health; Genetic, Biometric, Sexual Life and Sexual Orientation; or Criminal Record.

**7.6** When collecting email addresses the Charity's Email Statement must be used.

## **8. CONTACTS: USE OF DATA**

**8.1** Data, held by New Ground Churches, concerning any individual that enables that individual to be identified must not be given to any person outside the Charity without the express permission of the individual concerned.

**8.2** Do not reveal any sensitive personal data without the Data subject's consent in writing or by Email.

**8.3** When using Email distribution lists, send blind copies.

**8.4** Check that you hold the data securely (use passwords on computer systems, don't leave files or screens visible, collect papers promptly from printers).

**8.5** Consent must be obtained from the data subject if you are going to put personal data on the website.

**8.6** The data must be accurate and you must have a good reason for using it.

**8.7** You are only allowed to use the data for the purpose for which it was originally intended. Data cannot be used for Direct Marketing, including fundraising, if the Data subject requests you not to.

## **9 DATA SUBJECTS' RIGHTS**

**9.1** New Ground Churches will process personal data in line with data subjects' rights, including their right to:

9.1.1 request access to any of their personal data held by us (known as a Subject Access Request);

9.1.2 ask to have inaccurate personal data changed;

9.1.3 restrict processing, in certain circumstances;

9.1.4 object to processing, in certain circumstances, including preventing the use of their data for direct marketing;

9.1.5 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;

9.1.6 not be subject to automated decisions, in certain circumstances; and

9.1.7 withdraw consent when we are relying on consent to process their data.

**9.2** 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.

**9.3** 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.

**9.4** All data subjects' rights are provided free of charge.

**9.5** Any information provided to data subjects will be concise and transparent, using clear and plain language.

## **10 DIRECT MARKETING**

**10.1** 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 and telephone (both live and recorded calls).

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.

**10.2** Any direct marketing material that we send will identify New Ground Churches 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.

## **11.0 DATA PROCESSORS**

**11.1** Before appointing a contractor who will process personal data on our behalf (a data processor) we will carry out due diligence checks. The checks are to make sure the processor will use appropriate technical and organisational measures to ensure the processing will comply with data protection law, including keeping the data secure, and upholding the rights of data subjects. We will only appoint data processors who can provide us with sufficient guarantees that they will do this.

**11.2** We will only appoint data processors on the basis of a written contract that will require the processor to comply with all relevant legal requirements. We will continue to monitor the data processing, and compliance with the contract, throughout the duration of the contract.

## **12.0 TRANSFERRING PERSONAL DATA OUTSIDE THE EUROPEAN UNION (EU)**

**12.1** Personal data cannot be transferred (or stored) outside of the European Union unless this is permitted by the GDPR. This includes storage on a "cloud" based service where the servers are located outside the EU.

**12.2** We will only transfer data outside the EU where it is permitted by one of the conditions for non-EU transfers in the GDPR

## **13.0 DATA PROTECTION IMPACT ASSESSMENTS**

**13.1** When we are planning to carry out any data processing which is likely to result in a high risk we will carry out a Data Protection Impact Assessment (DPIA). These include situations when we process data relating to vulnerable people, trawling of data from public profiles, using new technology, and transferring data outside the EU. Any decision not to conduct a DPIA will be recorded.

**13.2** We may also conduct a DPIA in other cases when we consider it appropriate to do so. If we are unable to mitigate the identified risks such that a high risk remains we will consult with the ICO.

**13.3** DPIAs will be conducted in accordance with the ICO's Code of Practice 'Conducting privacy impact assessments'.

## **14.0 DEALING WITH DATA PROTECTION BREACHES**

**14.1** 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.

**14.2** We will keep records of personal data breaches, even if we do not report them to the ICO.

**14.3** 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 New Ground Churches becomes aware of the breach.

**14.4** 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.

## **15.0 QUERIES**

Data protection policy and practice is monitored by a small working party. If you have any queries about data protection please refer them to the Data Protection Officer.

## Appendix 1

### DATA PROTECTION CHECKLIST

#### 1.1 Existing Data

- Are you currently holding any personal data?
- Is it held securely?
- For what purpose are you holding it?
- Is it sensitive personal data?
- Does the individual know you are holding their personal data/have they given their consent?
- Has the Charity notified the Data Protection Commissioner that it holds this data and the purpose for which it is held? If not please tell the DPO.
- Is the data accurate?
- Does the data still need to be held?

#### 1.2 Collection of New Data

- Make sure you include the Charity's standard privacy statement on the form, together with a relevant opt-out for other communications.
- When collecting data from new contacts by phone, email, or letter, make sure that they know about our Privacy Statement (on New Ground Churches' website).
- When requesting a new page to be put on the website that will result in the collection of data, ensure that the page contains a link to the Charity's Privacy Statement, Data Protection Statement and Email Statement as appropriate.
- Check with the Data Protection Officer that the Charity has notified the ICO that this type of data is held.
- Delete the data when it is no longer required.
- Don't take personal data from another organisation without the consent of the individual concerned.

#### 1.3 Use of Data

Are you passing personal data to anyone else:

- Inside the Charity
- Outside the Charity
- Are you using blind copies when sending email distribution lists?
- Is there a confidentiality agreement in place where it is necessary to pass data to a permitted third party?
- Do not pass personal data to any person outside of the Charity without the permission of the individual to whom the data relates.



## Appendix 2

### Data retention

#### Conferences

New Ground Churches runs a number of conferences and events, which involves the gathering of data. The largest and most comprehensive of these is the Ashburnham Bible weekend (currently not being run). Data is handled for this event as shown in the following chart, and for other conferences where those sections apply.

Area	Data	Storage	Retention Period
<b>Offering:</b>			
<b>Pledge forms</b>	Name	Paperwork to be kept in a locked cabinet	
	Postal and Email Address		
	Contact number		
	Gift Aid declaration		Seven years after the last transaction relating to the declaration was made
	Credit/debit card details		Six years from end of accounting year in which transaction was made.
<b>Online bookings:</b>	Name	Electronic information needs to be password protected	Booking information to be kept for six months after the event, however we will keep financially-based information until the Audit has been finalised and signed. Limited information will be retained for six years in line with accounting requirements to support financial accounts.
	Postal and Email Address		
	Contact number		
	Gender		
	Date of birth		
	Photographic consent		

Area	Data	Storage	Retention Period
	Financial details	Held securely by PayPal or Stripe	
<b>Volunteers:</b>	Name	Paperwork to be kept in a locked cabinet	Application to be kept for six years after event ceases
	Postal and Email Address	Electronic information needs to be password protected	
	Contact number		
	Gender		
	Date of birth		
	DBS disclosures		Six months after event unless there is a dispute or complaint
<b>First Aid:</b>	For person who had the accident and person filling out the record:	Paperwork to be kept in a locked cabinet	
<b>Accident book</b>	Name		Three years after the date of the last entry in the accident book
	Postal Address		
	Contact number		
	Occupation		
	Accident details - date, time, where, what		
	Injury details		
<b>Children's Work</b>	Name of child	Paperwork to be kept in a locked cabinet	Child registration forms need to be kept for six months following the event, and children's group registers need to be kept for six years for Safeguarding requirements.
	Name of parent/guardian	Electronic information needs to be password protected	

Area	Data	Storage	Retention Period
	Date of birth		
	Contact number - home & mobile		
	Postal Address		
	Email address		
<b>Alternative emergency contact details:</b>			
	Relationship to child		
	Mobile telephone number		
	Email address		
	Name of home church		
	Medical details including physical, emotional, behavioural		
	Medication details		
	Consent to administer medication		
	Allergies		
	Dietary requirements		
	Education stage - preschool etc		
<b>3-5 age group:</b>			
	Is the child toilet trained		
	Will the child settle quickly in a group		
	Does the child have a special toy		

Area	Data	Storage	Retention Period
<b>Emergency medical consent:</b>			
	Child's name		
	Date of birth		
	Name of GP		
	Address of GP		
	Consent for medical treatment to be administered if unavailable		
<b>Photographic consent:</b>			
	Child's name		
	Date of birth		
	Consent for photos to be taken of the child and used in printed newspapers, magazines, pamphlets, electronic publicity including emails, websites		

Non-conference data

Area	Data	Storage	Retention Period
Church info sheets	Name	Paperwork to be kept in a locked cabinet. Spreadsheet kept on password-protected computers/devices and securely on G-Drive.	Until new info sheet provided, or church leaves New Ground
	Postal and Email Address		
	Contact number		
Email software	Email addresses	Kept on password-protected computers/devices and securely on G-Drive.	Until person identifiable from email address no longer in church relating with New Ground
Pastoral information	Name and sensitive information	Kept on password-protected computers/devices and securely on G-Drive.	Will depend on nature of information, but unless required for Safeguarding or other legal reason, until person identifiable is no longer in pastorally sensitive situation
Training course application forms	Name, Postal and Email Address	Online application details kept securely. Paper copies kept locked away.	Unless required for safeguarding or other legal reason, until training course completed
	Contact number		
	Gender		
	Date of birth		
	Personal testimony		
	Employer and job title		
	Church details		
	Church role(s)		

Area	Data	Storage	Retention Period
<b>Business partners</b>	Business bank details	Kept with financial records	Six years from end of accounting period in which last transaction made
<b>Employed staff</b>	HR records	Paperwork kept securely in a locked cabinet. Electronic records kept on password-protected computers/devices and securely on G-Drive.	Six years following end of contract
<b>Email newsletter</b>	Name and email address	Electronic records kept on password-protected computers/devices and securely on G-Drive and in MailChimp.	Until consent withdrawn

## **DATA PRIVACY NOTICE      New Ground Churches**

### **1. Your personal data – what is it?**

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession. The Data Protection Act and General Data Protection Regulation (GDPR) govern the processing of personal data.

### **2. Who are we?**

New Ground Churches (NGC) is the data controller. This means we decide how your personal data is processed and for what purposes. We are registered with the Information Commissioner's Office reference ZA024845.

### **3. How do we process your personal data?**

NGC complies with its obligations by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; and by protecting personal data from loss, misuse, unauthorised access and disclosure.

We use your personal data for the following purposes:

- to communicate with users by email and other appropriate ways
- to register delegates for conferences, events and training courses
- to collect donations and claim gift aid
- to maintain and improve the activities of the charity

### **4. What is the legal basis for processing your personal data?**

We will process data having obtained explicit consent unless one of the other legal bases apply, these are:

- contract (eg employment)
- legal obligation (eg safeguarding)
- vital interests (eg to protect life)
- public task (eg in the public interest)
- legitimate interests (eg for the charitably activities of New Ground Churches)

### **5. Sharing your personal data**

Your personal data will be treated as confidential and will only be shared with other members of the charity in order to carry out our activities. No data is shared with third parties for the purposes of marketing or research.

### **6. How long do we keep your personal data?**

We only keep data as long as it is needed, or we are legally required to do so. The nature of the data will determine its retention period. How long we keep your data can be provided on request.

### **7. Your rights and your personal data**

Unless subject to an exemption under GDPR, you have the following rights with respect to your personal data:

- The right to request a copy of your personal data held by NGC
- The right to request that NGC corrects any personal data if it is found to be inaccurate or out of date

- The right to request your data is erased where it is no longer necessary for NGC to retain such data
- The right to withdraw your consent to the processing at any time
- The right to request that the data controller provide the data subject with his/her personal data and where possible, to transmit that data directly to another data controller
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing
- The right to object to the processing of personal data, (where applicable)
- The right to lodge a complaint with the Information Commissioner's Office

### **8. Further processing**

If we wish to use your personal data for a new purpose, not covered by this Data Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

### **9. Contact Details**

To exercise all relevant rights, queries or complaints please in the first instance contact the Data Protection Officer at [admin@newgroundchurches.org](mailto:admin@newgroundchurches.org). You can contact the Information Commissioner's Office on 0303 123 1113, via email or live chat on their website: [ico.org.uk](http://ico.org.uk).