

## **The Incumbent of St. Nicholas Church, Ashchurch and St. Nicholas Church, Kemerton**

### **DATA PRIVACY NOTICE**

#### **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 or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation (the "GDPR").

#### **2. Who am I?**

As the Incumbent of St. Nicholas Church Ashchurch and St. Nicholas Church Kemerton I am the data controller (contact details below). This means I have responsibility on how your personal data is processed and for what purposes.

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

As Incumbent of St. Nicholas Church Ashchurch and St. Nicholas Church Kemerton I comply with the obligations under the "GDPR" by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data. This includes ensuring that all mobile devices (including mobile phones) are encrypted/password protected.

I use your personal data for some or all of the following purposes: -

- To enable me to meet all legal and statutory obligations (which include maintaining and publishing our electoral roll in accordance with the Church Representation Rules);
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments;
- To minister to you and provide you with pastoral and spiritual care (such as visiting you when you are gravely ill or bereaved) and to organise and perform ecclesiastical services for you, such as baptisms, confirmations, weddings and funerals.
- To provide a church body voluntary service for the benefit of the public in a particular geographical area.
- To administer membership records;
- To fundraise and promote the interests of the charity;
- To manage employees and volunteers;
- To maintain accounts and records (including the processing of gift aid applications);

- To inform you of news, events, activities and services running at St. Nicholas Church Ashchurch/St. Nicholas Church Kemerton
- To process a donation that you have made (including Gift Aid information);
- To seek your views or comments;
- To notify you of changes to our services, events and role holders;
- To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals and other fundraising activities;
- To process a grant or application for a role;

I may collect personal data in some or all of the following ways:-

- Names, titles, and aliases, photographs;
- Contact details such as telephone numbers, addresses, and email addresses;
- Where they are relevant to our mission, or where you provide them, I may process demographic information such as gender, age, date of birth, marital status, nationality, education/work histories, academic/professional qualifications, hobbies, family composition, and dependants;
- Where you make donations or pay for activities such as use of a church hall/other premises financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.

The data I process is likely to constitute sensitive personal data because, as an Incumbent of the church, the fact that I process your data at all may be suggestive of your religious beliefs. Where you provide this information, I may also process other categories of sensitive personal data: racial or ethnic origin. And, where this is relevant, mental and physical health, details of injuries, medication/treatment received, and criminal records, fines and other similar judicial records.

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

- Most of my data is processed because it is necessary for the legitimate interests of the church or the legitimate interests of a third party (such as another organisation in the Church of England). One example of this would be safeguarding work in order to protect children and adults-at-risk. Another example is that of displaying personal data on church rota lists such as the tea & coffee rota. I will always take into account your interests, rights and freedoms.
- Some processing is necessary for compliance with a legal obligation. For example, I am required by the Church Representation Rules to administer and publish the electoral roll, and under Canon Law to announce forthcoming weddings by means of the publication of banns.
- I will seek explicit consent to keep you informed about news, events, activities and services and keep you informed about local church and other diocesan events.
- I may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An

example of this would be processing your data in connection with the hire of church facilities.

- Processing is necessary for carrying out legal obligations in relation to Gift Aid or under employment, social security or social protection law, HMRC and other statutory requirements.
- Religious organisations are also permitted to process information about your religious beliefs to administer membership or contact details.
- Where your information is used other than in accordance with one of these legal bases, I will first obtain your consent to that use.

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

Your personal data will be treated as strictly confidential. It will only be shared with third parties where it is necessary for the performance of our tasks, where you first give me your prior consent, or in respect of a legal/statutory obligation. It is likely that I will need to share your data with some or all of the following (but only where necessary):

- The appropriate bodies of the Church of England including the other data controllers.
- Other clergy or lay persons nominated or licensed by the bishops of the diocese to support the mission of the Church in our parish. For example, clergy are supported by our area dean and archdeacon, who may provide confidential mentoring and pastoral support. Assistant or temporary ministers, including curates, deacons, licensed lay ministers, commissioned lay ministers or persons with Bishop's Permissions may participate in the church's mission in support of our regular clergy.
- Other persons or organisations operating within the diocese as appropriate.
- On occasion, with other diocesan clergy where we are carrying out joint events or activities
- External statutory bodies (police, social care etc.) where this is legally required.
- In the event of employee related tasks including payroll and pension provisions.

## **6. How long do I keep your personal data<sup>1</sup>?**

I keep data in accordance with the guidance set out in the guide "Keep or Bin: Care of Your Parish Records" which is available from the Church of England website.<sup>1</sup>

Specifically, I retain electoral roll data; gift aid declarations and associated paperwork for six years after the calendar year to which they relate; and signed PCC minutes and parish registers (baptisms, marriages, funerals) permanently.

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

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<sup>1</sup>Details about retention periods can currently be found in the Record Management Guides located on the Church of England website at:

[www.churchofengland.org/more/libraries-and-archives/records-management-guides](http://www.churchofengland.org/more/libraries-and-archives/records-management-guides)

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

- The right to request a copy of your personal data which I hold about you;
- The right to request that I correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for me to retain such data;
- The right to withdraw your consent to the processing at any time
- The right to request that I (the data controller) provide you, (the data subject) with your personal data and where possible, transmit that data directly to another data controller, (known as the right to data portability), (where applicable). [*Only applies where the processing is based on consent or is necessary for the performance of a contract with the data subject and in either case the data controller processes the data by automated means*].
- 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)
  - This right only applies where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority; direct marketing and processing for the purposes of scientific/historical research and statistics).
- The right to lodge a complaint with the Information Commissioners Office.

## **8. Further processing**

If I wish to use your personal data for a new purpose, not covered by this Data Protection Privacy Notice, then I 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, I will seek your prior consent to the new processing.

## **9. Marketing permissions and seeking consent**

While there may be an expectation that people involved in the life of the diocese would expect to receive information from the PCC through email, post, etc.; I am required through data regulations to ensure that I ask for your permission to do so in certain circumstances; and to ensure that it makes you aware of your rights in doing so.

### **Email and text**

- I will ask for your permission to contact you in this way.

### **Postal marketing;**

- From time to time I may send you information about the diocese and its work unless you have told me you would prefer not to receive this information by post.

### **Bulletins and newsletters**

- In the main I will require individuals to personally opt in and out of electronically sent information such as church newsletters. This ensures that individuals are able to manage the information they wish to receive.

## **10. Changes to this Privacy Notice**

I will review this Privacy Notice regularly and may update it at any time - for example in the event of legal changes, to improve how I manage data, where an issue or concern has come to light that needs appropriate response. If there are any significant changes in the way I process your personal information I will provide a prominent notice on our website or send you a notification.

## **11. Transfer of Data Abroad**

Any electronic personal data transferred to countries or territories outside the EU will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union. Our website is also accessible from overseas so on occasion some personal data (for example in a newsletter or photographs) may be accessed from overseas.

## **12. Contact Details**

To exercise all relevant rights, queries or complaints please in the first instance contact:

Revd Suzanne Grindrod, Priest-in-Charge of the Benefice of Ashchurch and Kemerton, The Rectory, Ashchurch Road, Tewkesbury GL20 8JZ

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

## **Those with whom I am in regular contact:**

**Data Controllers:** The Bishop's Office, The Gloucester Diocesan Board of Finance, other PCCs, Incumbents and clergy.

**Clergy;** stipendiary clergy, non-stipendiary clergy, retired clergy with the Bishop's Permission to Officiate and chaplains.

**Other ministers;** Pioneers and other ministers, locally licensed lay people.

**Church Officers;** churchwardens, PCC secretaries, treasurers, safeguarding parish representatives/nominated people; church administrators; visiting team and pastoral assistant.

**Other church people;** Members of PCCs

**Synodical arrangements;** Deanery officers and representatives, Bishop's Council, Diocesan Synod and General Synod representatives.

### **Electoral Roll members**

**Individuals and families** involved in the life of the church through baptisms, funerals, weddings, house groups; and through other pastoral needs.

**Committees/Groups/Boards:** PCC and other parish working groups and committees including: e.g. fabric, stewardship, events and social committee, flower arrangers, Open the Book team, Kidzway, choir, Mothers' Union, Tewkesbury Churches Together, Little Fishes, craft group, individuals whose names appear on rotas, bell ringers and hand bell ringers.

**Professionals, professional bodies/organisations and contractors -** relating to those who supply the church through contracts for goods and services; individuals in their professional capacity.

**LIFE vision priority interest groups;** those who have consented to be part of a range of working or interest groups.

### Third parties with whom I will share data:

- **Clergy information** - with the Bishop's Office, Archdeacons and other diocesan central diocesan officers as appropriate (e.g. Human Resources, Safeguarding).
- **Diocesan / Church Directory**, published with consents where appropriate, available to purchase within the diocese / church.
- **Church Officers**; churchwardens, PCC secretaries, treasurers, safeguarding parish representatives/nominated people; church administrators; visiting team and pastoral assistant.
- **Specifically named individuals**, clergy/readers/others details where these relate to those undertaking specific church roles including pastoral care.
- **Legal and statutory guidance and others**; In compliance with the range of our legal responsibilities; including
  - o those involving land/glebe
  - o Property purchases and sales
  - o Tenancy arrangements
  - o Employment
  - o HMRC
  - o The Charity Commission
  - o Insurers and legal advisers as appropriate.
  - o Relating to safeguarding issues, the Police, Probation, Social Care and Children's Services.
- **CCPAS** - with regard to DBS checking processes through the central diocesan arrangements.
- **Online Faculty System (OFS)** - petitioners/objectors as it is developed within the diocese will be shared as appropriate with the offices of the Diocesan Registrar, the offices of the Chancellor of the Diocese, Statutory Consultees e.g. Historic England, CBC; others where this facilitates the consideration of applications for either a Faculty, or a matter not requiring a faculty, under the Faculty Jurisdiction Rules.