

**St John's Church of Scotland
Hamilton Street
Carluke
ML8 4HA**

Scottish Charity Number: SC004066

Data Protection Policy - Updated 14 March 2019

Data Retention Policy - Updated 14 March 2019

Data Subject Access Policy - Updated 14 March 2019

Privacy Notice - Updated 14 March 2019

Data Protection Policy

The EU General Data Protection Regulation (*GDPR*) came into force on 25 May 2018 and a new UK Data Protection Act will replace the current Data Protection Act (1998) in due course. It is most likely that the new Act will incorporate the GDPR. For the purposes of this Policy, the Data Controller is the Clerk to the Presbytery of Lanark.

St John's Church will ensure compliance with the principles of the GDPR by:

- using **Personal Data** only as necessary for the congregation's **legitimate interests**.
- **storing** Personal Data in a secure manner.
- ensuring that Personal Data held is **accurate, relevant and up to date**.
- **retaining** Personal Data only for as long as it is required.
- **disposing** of Personal Data or documents containing Personal Data which is/are no longer required in a secure manner.
- not divulging Personal Data held to third parties, including transferring outside the UK, unless there is a legal obligation on us so to do.
- ensuring **transparency** of actions when processing Personal Data.
- ensuring that individuals, whose Personal Data is stored by us, are fully informed of their **rights** under GDPR.

Data Retention Policy

The EU General Data Protection Regulation (2016) (GDPR) requires that personal data should not be stored (retained) for longer than is necessary for the purpose or purposes for which that data was acquired. When no longer required, personal data, or documents containing it, should be securely disposed of or anonymised.

How long personal data may be retained is not specified by the GDPR but the Church of Scotland has issued guidelines for different types of data.

St John's Church will ensure compliance with the GDPR in terms of data retention by:

- holding **Personal Data** for only so long as it is relevant to the **legitimate interests** of the congregation;
- **retaining data**, in some circumstances, after it is no longer required where this is necessary to meet legal requirements, for operational needs or for permitted historical, statistical or scientific purposes;
- **applying the retention periods** recommended by the Church of Scotland to data it holds;
- **reviewing**, on an annual basis, all personal data held to ascertain that it is still current;
- **disposing** of obsolete and redundant data in a secure manner;
- ensuring that **inaccurate information is corrected** as soon as practicable after such errors become known.

Examples of the types of information accumulated and generated include but are not limited to membership rolls; baptismal information; employment records; newsletters and other communications such as letters, emails and website; minutes of Kirk Session (and other) meetings

Data Subject Access Policy

Anyone whose Personal Data is used in any way by the congregation has the right to expect that this information is processed, stored and ultimately erased in accordance to the principles of the GDPR, as outlined in the Data Protection Policy, above. Especially, they have the absolute right, under GDPR, to know what information is held about them and why.

St John's Church will ensure that all Data Subjects can access the personal data and any supplementary information we hold about them by:

- advising data subjects of their **right of access**;
- **verifying the identity** of an individual making a Subject Access Request before releasing any information;
- **responding** as soon as practicable to any request made by a data subject for access to the information we store about them;
- **explaining** why specific items of Personal Data are required to be held;
- **providing a full printout** of all relevant personal information and any supplementary information;
- **correcting any inaccuracies** in personal data drawn to our attention by a Data Subject.

Privacy Notice

Who We Are

St John's Church, Carluke is a congregation of the Church of Scotland located within Lanark Presbytery. The Church recognises the importance of your privacy and personal information and is committed to protecting it.

What Personal Information We Hold

As a minimum, we hold the name (title, forename, surname, and postal address of all our members, adherents and friends of the congregation (ie anyone who is neither a member nor an adherent but has a regular contact with us).

In addition, for our **trustees**, and other holders of posts of responsibility, we hold phone numbers and email addresses, if available.

In addition, for **young people and other vulnerable groups**, we hold contact details of carers and any health information necessary to ensure the safety of members during activities.

In addition, for those members who give through **FWO**, we generate a numeric identifier for use only by the FWO organiser.

In addition, for members who have arranged to make their offerings via **Gift Aid**, we hold banking details.

How We Use Your Personal Information

We use information about you to

- administer membership records, including a Communion Roll and Supplementary Roll, membership lists for our church groups;
- for pastoral care purposes;
- relation to participation in Congregational activities ;
- provide you with information about news, events, and activities within the Congregation or the wider Church of Scotland via our newsletter and website;
- provide the services of a parish church to the local community;
- fulfil contractual or other legal obligations;
- manage our employees;
- further our charitable aims, for example through fundraising activities;
- maintain our accounts and records (including the processing of Gift Aid applications)

Access to any personal information is restricted to those office-bearers who are entitled to use it in their work for the congregation.

Disclosure of Information

We will only process your personal information where this is necessary for the purposes set out above. Information will not be shared with any third party outwith the Church of Scotland without your consent unless we are obliged or permitted to do so by law.

Basis for Processing Personal Information

St John's Church processes your information in the course of its legitimate activities, with appropriate safeguards in place, as a not-for-profit body with a religious aim and on the basis that our processing relates solely to members, former members or people who have regular contact with us, and that this information is not disclosed to any third party without your consent.

We also process information where

- this is necessary for compliance with our legal obligations;
- where processing is necessary for the purposes of our legitimate interests and such interests are not overridden by your interests or fundamental rights and freedoms;
- and where you have given consent to the processing of your information for a particular purpose.

Storage and Security of Personal Information

St John's Church will strive to ensure that personal information is accurate and held in a secure and confidential environment. We will keep your personal information for as long as you are a member or adherent or have regular contact with us or so long as we are obliged to keep it by law or may need it in order to respond to any questions or complaints or to show that we treated you fairly. We may also keep it for statistical purposes but if so we will only use it for that purpose. When the information is no longer needed it will be securely destroyed or permanently rendered anonymous.

Your Rights

You have the right to

- request a copy of the information held about you. This can be done by contacting the Data Protection Officer (see Contact Us, below) .
- have any inaccuracies and incompleteness in the data we hold about you corrected as soon as is practicable.
- ask us to remove, or stop using your personal information **if there is no need** for us to keep it to enable us to carry out our legitimate activities.
- request that we remove personal information we hold with your explicit consent for a specific purpose. You can withdraw your consent at any time.
- object to our use of your personal information if you are not satisfied that we have a legal basis for doing so.
- complain to the Information Commissioner's Office about anything relating to the processing of your personal information by St John's Church. You can contact the ICO via its website at www.ico.org.uk or at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

CCTV

Images captured on CCTV normally remain un-viewed unless there is a need for the prevention and detection of crime. They are overwritten by newer images approximately every two weeks.

Explanatory Notes and Procedures

1 Definition of Important Terms

- **Data Subject** - An individual, the data about whom are stored. In St John's, data subjects are present and former members of our congregation and others who have a regular contact with the congregation and employees if these are not already members of the congregation.
- **Personal Data** - Any data relating to an individual including name, address, phone numbers. This may be held electronically, in writing or as audio or video records.
- **Special Category Data** - For St John's purposes, this means Personal Data which reveals a person's religious beliefs (If an individual's Personal Data is held by us, it can be inferred that that person has Protestant Christian beliefs) and, in some cases, details regarding health.
- **Data Processor** - Anyone in St John's who legitimately works with Personal Data. This means the Minister, office-bearers and others holding posts of responsibility in the congregation who require to work with Personal Data.
- **Processing** - Anything that is done with Personal Data, from collection to disposal.

2 Legitimate Interests

St John's holds and processes Personal Data, including some Special Category Data. This processing is necessary to enable us to carry out a number of activities:

- **Communicating** with Data Subjects via post, email, newsletter or website.
- Managing **Gift Aid** contributions.
- Managing **contracts** for the letting of our halls.

The GDPR allows the processing of Special Category Data under certain conditions. For St John's, the relevant condition for most of our Data Processing is

processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects; (GDPR Article 9(2)(d))

In certain cases, such as use of photos on the church website, or announcements of baptisms etc in the church newsletter, the relevant condition is

the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject; (GDPR Article 9(2)(a))

3 Storage of Personal Data

It is important that Personal data must not be accessed by those who are not so authorised.

3.1 Hard Copies

Printed material will be kept in locked storage (filing cases, cabinets, cupboards). Such storage will be kept locked at all times except when accessing the printed material. Keys to such storage will be kept securely and will only be accessible by those with permission to access the Personal Data in storage.

3.2 Digital Data

Digital files containing Personal Data will be kept on password-secured computers. Passwords will not be divulged to persons who do not have permission to access the data held on the computer. Data transferred to a USB memory unit will be encrypted.

3.3 email

When sending emails which may contain Personal Data, the "bcc" field should be used rather than the "to" and "cc" fields to prevent access to email addresses by unauthorised persons.

4 Processing Personal Data

Everyone who processes Personal Data on behalf of the congregation has responsibility for ensuring that the data they collect and store is handled appropriately, in line with this policy, our Data Retention Policy and our Privacy Notice.

Personal Data will only be accessed by those who need it for the work they do for or on behalf of the congregation and will only be used for the specified lawful purpose for which it was obtained.

4.1 Acquiring Personal Data

Personal Data will be acquired during enrolment procedures. For most cases, this will be limited to contact details, but for certain vulnerable groups (eg young people), contact details of guardians and/or health details will also be acquired. Only information which is essential smooth accomplishment of the legitimate activities of the congregation will be acquired.

To ensure consistent acquisition of Personal Data, a pro forma has been designed with which to collect Personal Data from new members. (*Appendix 1*)

Completed membership forms will be kept in line with the storage guidelines above (3.1) . (If, at a later date, these paper forms are digitised, then guidelines at 3.2 above will pertain.)

4.2 Ensuring Personal Data is Accurate

It will be made clear to members that they should advise any changes to the data which they have already submitted. From time to time, a check will be made by Data Processors that the Personal Data they hold is, in fact accurate. Any errors will be corrected as a matter of urgency.

The congregation will adopt a regular programme of review to ensure that Personal Data held is as accurate and up to date as possible.

5 Retention of Personal Data

The congregation will retain Personal Data on its members only so long as those individuals are members of the congregation and have not explicitly removed their membership of St John's to another congregation or from the Church of Scotland completely. Requests for "lines" to be transferred will be carried out and Personal Data held deleted for records.

In the specific case where a former member wishes to retain a link to the congregation and gives us permission, contact details will be retained to allow communication with such former members (eg by sending the church Newsletter by post or by email).

Email mailing addresses are reviewed annually and purged of out of date items.

Information regarding employees may be retained for the duration of their employment plus 6 years.

Applications for the use of our accommodation may be kept for 6 years after the completion of the let.

Names of past ministers are retained indefinitely as part of the congregation's historical record.

A full list of retention periods recommended by the Church of Scotland is available at www.churchofscotland.org.uk/__data/assets/word_doc/0015/50370/Data_Retention_Policy_Congregations_amend.doc

6 Disposal of Personal Data no longer required

Once an item of Personal Data is found to be no longer relevant to the congregation's legitimate activities, it will be disposed of in a secure manner.

6.1 Hard Copies

Printed material will be thoroughly shredded and the resultant shredded material disposed of in the general waste.

6.2 Digital Data

Personal Data stored on computer or digital media will be deleted from all locations and the remaining file re-saved to ensure the complete removal of the redundant information.

7 Right of Access to Data Held

7.1 Advising of Rights

Upon admission to the congregation, members of the congregation will be advised of their right of access to the information the congregation holds about them. From time to time, reminders of the process will be inserted into the church Newsletter.

7.2 Requesting Access

Any Data Subject who wishes to receive a copy of the information held about them will require to submit a written request to the Data Protection Officer (DPO). For consistency, a *pro forma* has been prepared for this purpose (**Appendix 2**), but its use will not be compulsory.

7.3 Verifying the Identity of the Applicant

Upon receipt of a written request for access to Personal Data, the DPO will take every step to satisfy him-/herself that the applicant is who they say they are.

7.4 Providing Personal Data

When the identity of the applicant is verified, the DPO will arrange for a printout of all the information about the applicant held in any database within the congregation. This will be provided to the applicant free of charge and within 30 days of receipt of the application.

Where necessary, the reason why individual items of information are kept will be given.

7.5 Correction of Errors

Should the applicant alert the DPO to any errors or omissions in the data held about them, the DPO will, as a matter of urgency arrange for the data held to be corrected. A further printout, showing the corrected data will be provided to the applicant.

8 Policy Review

The Kirk Session will, from time to time, review the various Policies and associated Procedures contained in this document. Any changes will be notified to all members of the congregation through the medium of the church Newsletter.

9 Contact Us

You can contact the Data Protection Officer at DPO@carluke-stjohns.org.uk, or by post to

**DPO,
St John's Church,
Hamilton Street,
Carluke
ML8 4HA.**