

Bourne Baptist Church

Data Protection

Policy and Procedure

Policy Statement

Bourne Baptist Church is committed to protecting personal data and respecting the rights of the people (data subjects) whose personal data we collect and use. We value the personal information entrusted to us and we respect that trust, by complying with all relevant laws and adopting good practice.

This policy sets out the measures we are committed to taking to protect the personal data we hold from being misused, getting into the wrong hands as a result of poor security or being shared carelessly, or being inaccurate, as we are aware that people can be upset or harmed if any of these things happen.

As a church we are committed to complying with the 1998 Data Protection Act and the General Data Protection Regulation (GDPR). Therefore, we will endeavour to make sure that all personal data is processed according to article 5 of GDPR as listed below.

Lawfulness, fairness and transparency	Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject
Purpose limitation	Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
Data minimisation	Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
Accuracy	Personal data shall be accurate and, where necessary, kept up to date
Storage limitation	Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed
Integrity and confidentiality	Personal data shall be 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
Rights of data subject	Personal data shall be processed in keeping with the rights of data subjects regarding their personal data

We recognise that this relates to all personal data, whether it is held on paper, on computer, or other media. All church staff members or volunteers who obtain, handle, process or store personal data on behalf of Bourne Baptist Church must adhere to these principles.

The “Data Controller” (the person or persons that determine the purpose and the manner by which personal data is to be processed) is the Bourne Baptist Church leadership team and they are responsible for ensuring that we comply with all our legal obligations and will handle personal information in line with this policy.

The church has appointed a Data Protection Lead who will monitor compliance, deal with data security breaches and help develop this policy. Any questions or concerns regarding this policy and whether or not it is being adhered to should be referred to them at mydata@bournebaptistchurch.org

You have a right to withdraw your consent to Bourne Baptist Church processing your data, unless there is a legal basis for our processing, at any time. If this is your wish, then please contact our Data Protection Lead at the above email address.

The Data Protection Policy and Procedure document will be kept in the policy folders in the Church office and back hall kitchen

This Policy was adopted at the Church meeting on and will be reviewed biannually.

Signed

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Role

Date

Policy Procedures

1. Legal grounds for holding personal data

1.1 Processing of personal data is only lawful if at least one of these legal conditions, as listed in Article 6 of the GDPR, is met:

- the processing is **necessary for a contract** with the data subject;
- the processing is **necessary for us to comply with a legal obligation**;
- the processing is necessary to protect someone's life (this is called "**vital interests**");
- the processing is necessary for us to perform a task in the **public interest**, and the task has a clear basis in law;
- the processing is **necessary for legitimate interests** pursued by Bourne Baptist Church or another organisation, unless these are overridden by the interests, rights and freedoms of the data subject.
- If none of the other legal conditions apply, the processing will only be lawful if the data subject has given their clear **consent**.

1.2 'Special categories' of data

'Special categories' of data (as referred to in the GDPR) includes information about a person's: racial or ethnic origin; political opinions; religious or similar (e.g. philosophical) beliefs; trade union membership; health (including physical and mental health, and the provision of health care services); genetic data; biometric data; sexual life and sexual orientation.

Processing of 'special categories' of personal data is only lawful when, in addition to the conditions above, one of the extra conditions, as listed in Article 9 of the GDPR, is met. These conditions include where:

- the processing is necessary for carrying out our obligations under employment and social security and social protection law;
- the processing is necessary for safeguarding the vital interests (in emergency, life or death situations) of an individual and the data subject is incapable of giving consent;
- the processing is carried out in the course of our legitimate activities and only relates to our members or persons we are in regular contact with in connection with our purposes;
- the processing is necessary for pursuing legal claims.
- If none of the other legal conditions apply, the processing will only be lawful if the data subject has given their explicit consent.

1.3 As a leadership team we recognise that the personal data we hold will be

- Necessary for the legitimate interests of Bourne Baptist Church
- Necessary for forming a contract (e.g. employment)
- Necessary by legal obligation (e.g. safeguarding)
- Necessary to protect the life of the data subject (e.g. medical information for children)
- And where none of the above apply with the data subject's consent

However, before deciding which condition should be relied upon, we may refer to the original text of the GDPR as well as any relevant guidance, and seek legal advice as required.

2. Procedures for any individual which processes personal information on behalf of Bourne Baptist Church (Data Processors)

- 2.1 As an employee, trustee or volunteer processing personal information on behalf of Bourne Baptist Church, you are required to comply with this policy. Before you collect or handle any personal data as part of your work (paid or otherwise), it is important that you take the time to read this policy carefully and understand what is required of you, as well as the organisation's responsibilities when we process data.
- 2.2 Our procedures will be in line with the requirements of this policy, but if you are unsure about whether anything you plan to do, or are currently doing, might breach this policy you must first speak to the Data Protection Lead.
- 2.3 If you think that you have accidentally breached the policy it is important that you contact our Data Protection Lead immediately so that we can take swift action to try and limit the impact of the breach.
- 2.4 Anyone who breaches the Data Protection Policy may be subject to disciplinary action, and where that individual has breached the policy intentionally, recklessly, or for personal benefit they may also be liable to prosecution or to regulatory action.

2.5 Data Storage, Security and Retention

Bourne Baptist Church currently uses various methods of storing and processing data including using third party applications and services. We are satisfied that these third parties are compliant with GDPR regulations.

We will use appropriate measures to keep personal data secure at all points of the processing. Keeping data secure includes protecting it from unauthorised or unlawful processing, from accidental loss, destruction or damage. We will implement security measures which provide a level of security which is appropriate to the risks involved in the processing.

Personal data held	Reason for holding	Place(s) of storage	Level of protection	Retention Period
Name and contact details of church members and regular attendees	Legitimate interests of the church	Church computers and storage devices	Password protection	No more than 2 years after data subject has ceased contact with the church
	Held with data subject consent	iKnow system	Secure server. Data subject with access to personal data only	
		Paper copies	Church attendees only	

Activities people are involved with	Legitimate interests of the church Held with data subject consent	Church computers and storage devices iKnow system, MailChimp Paper copies	Password protected Secure server Non-identifiable to the public	No more than 2 year after data subject has ceased contact with the church
Medical information (under 18 only)	Vital to life	Paper copy	Locked filing cabinet in alarmed building	2 years after data subject has ceased attending
Photographs	Data subject or data subject parental consent	Church storage devices Website & iKnow	Password protected	1 year after event pictured
Contact details of attendees of special events/ groups	Legitimate interests of church	Church computers and storage devices, iKnow and MailChimp Paper copy	Password protected Locked filing cabinet in alarmed building	2 years after data subject has ceased contact with the church
Pastoral care and counselling	Legitimate interests of church	Paper copy	Person not identifiable in notes Locked filing cabinet in alarmed building	7 years after data subject has stopped care
Historical documents e.g. Marriage certificates	Legal obligations	Paper copy	Locked safe In alarmed building	Indefinitely
HEALTH AND SAFETY Reportable accidents, accident book Records documenting inspections	Legal obligations	Paper copy Paper copy	Locked filing cabinet in alarmed building	3 years after date of entry or end of any investigation Length of inspection validity

<p>SAFEGUARDING</p> <p>DBS checks</p> <p>Safeguarding incidents, allegations, risk assessments/ contracts concerning offenders</p> <p>Events/activities specifically for children and young people/adults at risk</p>	<p>Safeguarding/ legal obs.</p> <p>Safeguarding</p> <p>Register/record Parent /carer consent forms First aid/ accident forms Risk assess.</p>	<p>Due Diligence</p> <p>Paper copy</p> <p>Paper copy</p> <p>Church computer and storage devices.</p> <p>Paper copies</p>	<p>Password protected</p> <p>Data subject name, role, DBS check number and D of I</p> <p>Locked filing cabinet in alarmed building</p> <p>Password protected</p> <p>Locked filing cabinet in alarmed building</p>	<p>Renewed every 3 years if required kept for 75 years</p> <p>75 years after last contact with person</p> <p>At least 3 years after event</p>
<p>FINANCE</p> <p>Direct debt information</p> <p>Gift Aid declarations</p> <p>Pay role information</p> <p>All financial records – invoices, bills, bank statements, paying in books</p> <p>Legacy information</p> <p>Church Annual Accounts and Reports</p>	<p>Legitimate interests</p> <p>HMRC</p> <p>HMRC</p> <p>HMRC</p>	<p>Church storage devices</p> <p>Paper copies</p> <p>Church storage devices</p> <p>Church storage devices and paper copies</p> <p>Paper copies</p> <p>Church storage devices and paper copies</p>	<p>Password protected</p>	<p>6 months after data subject has stopped donating</p> <p>6 years after last payment made</p> <p>6 years after last payment made</p> <p>6 years from the end of the financial year the record relates to</p> <p>6 Years after the deceased’s estate has wound up</p> <p>Indefinitely</p>
<p>EMPLOYMENT</p> <p>Record of employment</p> <p>References and experience histories</p>	<p>Contracts</p>	<p>Paper copies</p> <p>Electronic copies</p>	<p>Locked filing cabinet in alarmed building</p> <p>Password protected</p>	<p>6 years after data subject has finished contract</p> <p>6 years after finishing</p>

<p>Information on any disciplinary or grievance matter other than safeguarding</p> <p>Information on sickness and adapted contracts</p> <p>Parental leave records</p> <p>Payroll records and correspondence with HMRC</p> <p>Pension Records</p> <p>Application forms and interview notes for unsuccessful candidates</p>				<p>6 years after finishing</p> <p>6 years after finishing</p> <p>18 years from date of child's birth</p> <p>6 years from the end of the financial year the records relate to</p> <p>According to schedule set by Pension provider</p> <p>1 year</p>
<p>MEETINGS</p> <p>Church Meeting Minutes</p> <p>Trustee Meeting Minutes</p> <p>Minutes of internal groups</p>	<p>Legitimate interests of church</p>	<p>Church storage devices and paper copy</p>	<p>Password protected and kept in locked cabinet in alarmed building</p>	<p>Indefinitely</p> <p>Indefinitely</p> <p>5 years after date of meeting</p>
<p>PROPERTY</p> <p>Plans, building and planning consents, building certificates, records of refurb and inspections</p>	<p>Legitimate interests</p>	<p>Paper copies</p>	<p>Locked cabinet in alarmed building</p>	<p>6 years after property has been disposed of</p>
<p>GENERAL</p> <p>Correspondence and emails not relating to any category listed above</p>				<p>Only kept whilst relevant</p>

Bourne Baptist Church Data Privacy Notice

Bourne Baptist Church is committed to respecting your privacy and to complying with data protection and privacy laws.

In the course of our work, we may collect and process personal data about many different people (data subjects). Personal data relates to a living individual who can be identified from that data and is governed by the General Data Protection Regulations (GDPR). This includes data we receive straight from the person it is about, for example, where they complete forms or contact us. We may also receive information about data subjects from other sources including, for example, previous employers and personal referees.

Bourne Baptist Church is the data controller (see contact details below). This means that it decides how your personal data is processed and for what purposes.

The reasons Bourne Baptist Church holds and processes personal data are to:

- Maintain our list of church members and regular attendees
- Provide pastoral support for members and others connected with the church
- Provide services to the community, for example toddler groups, youth groups, counselling care etc
- Safeguard children, young people and adults at risk
- Recruit supporting and managing staff and volunteers
- Undertake research e.g. questionnaires
- Maintain our accounts and records
- Promote our activities and services
- Maintain the security of property and premises
- Respond effectively to enquiries and handling any complaints
- Preserve historical/legal documents

Bourne Baptist Church holds personal data in the following ways

- Church computers and storage devices
- Paper copies
- iKnow: third party church administration application, see <http://www.iknowchurch.co.uk/privacy-policy>
- MailChimp: third party marketing application, see <https://mailchimp.com/legal/privacy/>
- Website: third party hosting application, see <https://www.dreamhost.com/legal/privacy-policy/>

Bourne Baptist Church will only share personal data with other organisations or people when we have a legal basis to do so and if we have informed the data subject about the possibility of the data being shared, unless legal exemptions apply to informing data subjects about the sharing. Only authorised and properly instructed staff are allowed to share personal data.

Bourne Baptist Church will keep records of information shared with a third party, which will include recording any exemptions which have been applied, and why they were applied. We will follow the ICO's statutory Data Sharing Code of Practice (or any replacement code of practice) when sharing personal data with other data controllers. Legal advice will be sought as required.

Bourne Baptist Church will not hold information relating to criminal proceedings or offences or allegations of offences unless there is an overarching safeguarding requirement to process this data for the protection of children and adults who may be put at risk in our church. This processing will only every be carried out on advice from the Ministries Team of the Baptist Union of Great Britain or our Regional Association Safeguarding contact person.

Data subjects (you) have rights and we will process personal data in line with these rights.

Data subjects have the right to:

- request access to any of their personal data held by us (known as a Subject Access Request);
- ask to have inaccurate personal data changed;
- restrict processing, in certain circumstances;
- object to processing, in certain circumstances, including preventing the use of their data for direct marketing;
- 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;
- not be subject to automated decisions, in certain circumstances; and
- withdraw consent when we are relying on consent to process their data.

For information on how we store, protect and retain data please see our data protection policy and procedure which is held in folders in the church office and back hall kitchen.

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 Lead **immediately**.

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.

All data subjects' rights are provided free of charge.

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

If you have any queries about the Bourne Baptist Church's data protection policy and procedures please contact the Data Protection Lead on mydata@bournebaptistchurch.org or write to: Data Protection Lead Bourne Baptist Church, West Street Bourne PE10 9NE 01778 424206