

TRURO BAPTIST CHURCH DATA PROTECTION POLICY

1.0 Scope

This policy applies to all staff employed by Truro Baptist Church, those subcontracted by Truro Baptist Church and to all volunteers and casual workers and associated companies.

2.0 Context

The Data Protection Act 1998 requires the protection of personal data and all organisations which process personal data must be registered to do so. Truro Baptist Church is registered with the Information Commissioner's Office.

3.0 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 Data Protection Act 1998.

4.0 Definitions

4.1 Truro Baptist Church is currently registered with the Information Commissioner's Office who hold a record that we process data for:

- Provision of pastoral care
- Financial giving, including gift aid
- Child and vulnerable adult protection
- Contacting people about church related activities and events
- Staff details for employment purposes

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 (i.e. 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 (includes record of someone being baptised)
- trade union membership
- physical or mental health
- sexual life
- the commission or alleged commission of any offence
- any proceedings for any offence committed or alleged to have been committed by the data subject.

4.3 At Truro Baptist Church personal data is used for the following main purposes:

- Contacting people to keep them informed of relevant information
- Day to day administration of the church e.g. pastoral care and oversight including calls and visits, preparation of ministry rotas, maintaining financial records of giving for audit and tax purposes.
- Information relating to Disclosure and Barring Service checks for the protection of children and vulnerable adults.
- Statistical analysis – gaining a better understanding of church demographics. Although collated church data may be passed to a third party e.g. Baptist Union, no personal data is disclosed.
- Registering of marriages

4.4 The **Data Subject** is the individual whose personal data is held.

4.5 The **Data Controller** is the person or persons who determine the purpose and manner by which personal data is to be processed. At Truro Baptist Church, the Data Controller is the Charity Trustees (minister, deacons and elders).

4.6 The **Data Processor** is the person(s) who processes the personal data on behalf of the data controller. All data controllers at Truro Baptist Church will sign the agreement at Annex A.

5.0 The Data Protection Act

5.1 Truro Baptist Church (CBC) recognises and accepts its responsibilities under the Data Protection Act 1998. It will handle all personal data in accordance with the eight principles required by the Act:

1. Personal data will be processed fairly and lawfully.
2. Personal Data will only be obtained for one or more specified and lawful purposes and not processed in any manner incompatible with that purpose or purposes.
3. Personal data will be adequate, relevant and not excessive in relation to the purpose or purposes to which they are processed.
4. Personal data will be accurate and where necessary kept up to date.
5. Personal data processed for any purpose or purposes will not be kept for longer than is necessary for that purpose or those purposes.
6. Personal data will be processed in accordance with the rights of data subjects under the Act.
7. Appropriate technical and organisational measures must be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction or damage to personal data e.g. use of locked filing cabinets and password/pin protected electronic filing.
8. Personal data will not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection.

5.2 Truro Baptist Church will use standard, approved statements about data protection in all Truro Baptist Church's literature in which personal data is collected. The statement for use is:

"Data Protection Act 1998: Truro Baptist Church will only use personal data in connection with its charitable purposes. It does not make personal data available to any other organisation or individual".

6.0 Processing personal data

6.1 Personal data will only be processed (i.e. obtained, used, held or disposed of) for the purposes set out in 4.1:

- with either the consent (consent can be explicit or implied) of the data subject (or their parents/guardian if they are under 18)
- or if it is in the legitimate interests of the Data Controller

6.2 Sensitive personal data will only be processed with the *explicit* consent of the data subject or if it is carried out as part of the legitimate activities of Truro Baptist Church where the processing:

- is carried out with appropriate safeguards for the rights and freedoms of data subjects
- relates only to individuals who are members of Truro Baptist Church or who have regular contact with it in connection with its purposes; and
- does not involve disclosure of sensitive personal data to a third party without the consent of the data subject.

6.3 We will obtain the explicit and informed consent before publishing any personal data on the internet. This includes photographs.

6.4 Personal data may be processed without the above conditions if it is in order to comply with a legal obligation (e.g. at the request of a search warrant).

Truro Baptist Church Directory

6.5 Truro Baptist Church will seek explicit permission for contact details to be included on the Church Directory and circulated to all those named on this Directory.

6.6 All requests to be removed from this list will be dealt with within two weeks of the request and a new revised Directory will be issued at least twice a year.

7.0 Keeping data up to date

The personal data held by Truro Baptist Church will be reviewed on an annual basis and out-of-date or irrelevant data will be removed or destroyed.

8.0 Security

Truro Baptist Church will ensure that all personal and sensitive personal data is held secure against unauthorised access and theft. Truro Baptist Church will ensure that:

- The IT network is as secure as possible from unauthorised access including access through the website.
- Individual PC's are password protected.

- Individual PC's are logged off when individuals are away from their desk for more than a few minutes at a time.
- Personnel and other files holding sensitive or confidential personal data are secured and only made available to staff with authorised access.
- Paper based personal data is in secure, lockable cupboards.
- Access to personal data is restricted to only those who are necessary for it to be processed.
- Information is not leaked through eavesdropping in public places (either through speech, written or electronic communication).
- Personal data is transmitted securely in a way that cannot be intercepted by unintended recipients.
- When sending group emails, blind copies are used, where it is not appropriate for the group to be aware of one another's contact details.

9.0 Data Subject's Access to their own personal data

9.1 Data subjects have the right of access to their personal data. They are entitled to be informed whether their personal data is held, what personal data is held and for what purposes the data is held and who will see this data. Data subjects can require the data controller to correct any personal data which is inaccurate.

9.2 Data subjects are not entitled to see personal data relating to other data subjects, references given in confidence and personal data related to serious allegations.

9.3 Requests for this information should be made in writing. Truro Baptist Church reserves the right to charge a fee of up to £10 and will provide an answer within 40 days of the request.

10.0 Data Protection Checklist for Data Processors

10.1 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 Truro Baptist Church notified the Data Protection Commissioner that it holds this data and the purpose for which it is held? If not please tell a member of the Charity Trustees.
- Is the data accurate?
- Does the data still need to be held?

10.2 Collection Of New Data

- Make sure you include Truro Baptist Church standard data Protection statement on the form.
- When collecting data from new contacts by phone, email, or letter, make sure that they know about our data protection statement.

- 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 Truro Baptist Church's Data Protection Policy and Statement as appropriate.
- Check with the RELEVANT STAFF MEMBER that Truro Baptist Church has notified the Data Protection Commissioner 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.

10.3 Use of Data

Are you passing personal data to anyone else:

- Inside Truro Baptist Church
- Outside Truro Baptist Church
- Are you using blind copies as appropriate 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 Truro Baptist Church without the permission of the individual to whom the data relates, unless required to do so by law.

11. Queries

Data protection policy and practice is monitored by the Deacons and Church Secretary. If you have questions about data protection please refer them to the Deacons and Church Secretary.

Prepared by:

Hannah Harris

Church Secretary

27 March 2014

Approved at the meeting of the Deacons 28 April 2014

Registered with the Information Commissioners Office on 24 July 2014

Printed:

ANNEX A

Data Processor Agreement for Truro Baptist Church

For the purposes of the Data Protection Act 1998 the Charity Trustees (Pastor, Deacons and Elders) are the Data Controller.

.....(name) has been appointed by the Trustees of Truro Baptist Church as a Data Processor to process the following personal data on their behalf:

.....
.....
.....

For the sole purpose of

.....

By signing this document:

1. The Data Processor agrees to ensure that the data:
 - Will be held securely at all times and not made available to anyone else without the express permission of the Charity Trustees
 - Will be destroyed once it is no longer needed/ or on the following date.....(insert)
 - Will be handed over to the Charity Trustees on request if the Data Processor ceases to be a member of the church.
2. The Data Processor acknowledges that they will process the data only according to the Truro Baptist Church Data Protection Policy and that they must not process this data for their own purposes.
3. The Data Processor understands that any electronic device used to store the personal data must be password or pin-protected and that appropriate firewall measures are in place.

I agree to the above

Signed

.....(Data Processor)

.....(Date)