



## **The Parish Church of St Peter & St Paul, Tonbridge Data Protection Policy**

### **Introduction**

The personal data that the Ecclesiastical Parish of St Peter & St Paul, Tonbridge (P&P) processes relates to information it holds and receives from parishioners, staff and volunteers and external contacts, organisations and contractors.

This policy sets out P&P's commitment to ensuring that any personal data, including special category personal data, which P&P processes, is treated in compliance with Data Protection Law. The Parochial Church Council of P&P (PCC) as Data Controller under Data Protection Law will seek to ensure that good data protection practice is imbedded in the culture of its staff and its ministry.

P&P's other data protection policies and procedures are:

- privacy notices.
- personal data breach reporting process.
- IT security policy.
- consent forms.

'Data Protection Law' includes the UK-GDPR (United Kingdom General Data Protection Regulation) that took effect on 31 January 2020, the UK Data Protection Act 2018 and all relevant UK data protection legislation.

### **Scope**

This policy applies to all personal data processed by P&P and is part of the PCC's approach to compliance with Data Protection Law. All P&P's staff are expected to comply with this policy and failure to comply may lead to disciplinary action.

### **Data protection principles**

The PCC will comply with the data protection principles set out below. When processing personal data, it will ensure that:

- it is processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency').
- it is collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes ('purpose limitation').
- it is all adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation').
- it is all accurate and, where necessary, kept up to date and that reasonable steps will be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy').



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- It is 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 ('storage limitation').
- It is 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 ('integrity and confidentiality').

The PCC will facilitate any request from a data subject who wishes to exercise their rights under Data Protection Law as appropriate and without undue delay.

### **Process/procedures/guidance**

The PCC will:

- ensure that the legal basis for processing personal data is identified in advance and that all processing complies with Data Protection Law.
- not do anything with personal data which is inconsistent with the content of this policy and the fair processing of such data or privacy notice.
- ensure that appropriate privacy notices are in place advising staff, volunteers and others how and why their data is being processed, and, in particular, advising data subjects of their rights.
- only collect and process the personal data that it needs for purposes it has identified in advance.
- ensure that, as far as possible, the personal data it holds is accurate, or a system is in place for ensuring that it is kept up to date as far as possible.
- only hold retain personal data for as long as it is needed or for as long as the data subject has agreed for it to be held, after which time the PCC will procure that personal data is securely erased or deleted unless (e.g., in the case of filming/photography) the data cannot be permanently removed or edited to remove the data.
- ensure that appropriate security measures are in place to ensure that personal data can only be accessed by those who need to access it and that it is held and transferred securely.

The PCC will ensure that all staff and volunteers who handle personal data on its behalf are aware of their responsibilities under this policy and other relevant data protection and information security policies.

### **Data Subject Rights**

The PCC has processes in place to ensure that it can facilitate any request made by an individual to exercise their rights under Data Protection Law. All staff will be made aware of the rights of data subjects. Staff can identify such a request and know who to send it to.



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All requests will be considered without undue delay and within one month of receipt as far as possible.

**Subject access:** the right to request information about how personal data is being processed, including whether personal data is being processed and the right to be allowed access to that data and to be provided with a copy of that data along with the right to obtain the following information:

- the purpose of the processing.
- the categories of personal data.
- the recipients to whom data has been disclosed or which will be disclosed.
- the retention period.
- the right to lodge a complaint with the Information Commissioner's Office.
- the source of the information if not collected direct from the subject, and
- the existence of any automated decision making.

**Rectification:** the right to allow a data subject to rectify inaccurate personal data concerning them.

**Erasure:** the right to have data erased and to have confirmation of erasure, but only where:

- the data is no longer necessary in relation to the purpose for which it was collected, or
- consent is withdrawn, except in a case where the data cannot be permanently removed, or
- there is no legal basis for the processing, or
- there is a legal obligation to delete data.

**Restriction of processing:** the right to ask for certain processing to be restricted in the following circumstances:

- if the accuracy of the personal data is being contested, or
- if our processing is unlawful but the data subject does not want it erased, or
- if the data is no longer needed for the purpose of the processing but it is required by the data subject for the establishment, exercise or defence of legal claims, or
- if the data subject has objected to the processing, pending verification of that objection.

**Data portability:** the right to receive a copy of personal data which has been provided by the data subject and which is processed by automated means in a format which will allow the individual to transfer the data to another data controller. This would only apply if the PCC was processing the data using consent or on the basis of a contract.

**Object to processing:** the right to object to the processing of personal data relying on the legitimate interests processing condition unless the PCC can demonstrate compelling legitimate grounds for the processing which override the interests of the data subject or for the establishment, exercise or defence of legal claims.



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### **Special category personal data**

This includes the following personal data revealing:

- racial or ethnic origin.
- political opinions.
- religious or philosophical beliefs.
- trade union membership.
- the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person.
- an individual's health.
- a natural person's sex life or sexual orientation.
- criminal convictions or offences.

The PCC processes special category data of employees as is necessary to comply with employment and social security law and of volunteers and others with whom P&P is in contact as is necessary to carry out the ministry of P&P in connection with the specific purpose for which the data is required. This policy sets out the safeguards we believe are appropriate to ensure that we comply with the data protection principles set out above.

### **Responsibility for the processing of personal data**

The members of the PCC take ultimate responsibility for data protection.

If you have any concerns or wish to exercise any of your rights under Data Protection Law, then you can contact one of the churchwardens whose details are on the P&P website or the person appointed as P&P's data protection lead.

### **Monitoring and review**

This policy shall be regularly monitored and reviewed, at least every two years.

This policy was approved by the PCC on 4 October 2021.

Churchwarden

Churchwarden

10<sup>th</sup> October 2021. 4