



## **GDPR IMPLEMENTATION PLAN**

May 2018

### **Introduction**

The General Data Protection Regulation (GDPR) takes effect in the UK from 25 May 2018. It replaces the existing law on data protection (the Data Protection Act 1998) and gives individuals more rights and protection in how their personal data is used by organisations. Like all other charities and organisations, St Mary's Parochial Church Council must comply with its requirements. In order that we can be sure we are working within the legislation, those involved in parish administration have completed a parish check-list and have put together the following plan of implementation.

The new legislation builds on requirements that already existed and there are several underlying principles, including that personal data:

1. will be processed lawfully, fairly and transparently.
2. is only used for a specific processing purpose that the data subject (e.g. member of the church electoral roll) has been made aware of and no other, without further consent.
3. collected on a data subject should be "adequate, relevant and limited." (e.g. only the minimum amount of data should be kept for specific processing where justifiable).
4. must be "accurate and where necessary kept up to date"
5. should not be stored for longer than is necessary, and that storage is safe and secure.

### **Key Points for the PCC to Note:**

1. There are several legal bases for processing data, of which consent is one. Others include legal obligation (e.g. processing Gift Aid or publishing the Electoral Roll), contract (e.g. letting out the church hall), or legitimate interest (routine church management involving rotas, lists of group members etc). For each area of processing, we need to be clear on the legal basis for carrying out that processing and maintain individual data securely.
2. We need to have consent from people for some data processing; e.g. some email communications, or where data is shared with church members such as in a church contact list (e.g. the quarterly Services Rota). This will need to be clear and unambiguous – some form of positive action to 'opt-in' is required for each example. And, we must ensure we have this consent before processing.
3. Data subjects have a number of rights, including that of knowing how data is used by the data controller, of knowing what data is held about them, of correcting any errors and generally the right 'to be forgotten'. The PCC will need to make provision for people to exercise these rights, including developing a Privacy Notice.
4. The GDPR introduces a stronger requirement on accountability for data controllers. This means that we must be able to show that we are complying with the principles by providing evidence. For example, where we process on the basis of consent, we should keep a record of those consents. Since consent should be specific to a "purpose", we will need separate consent to cover different areas of data processing within the life of the church.
5. Where data "reveals religious belief" it becomes a special category data – which requires additional care with regard to processing. (The Church of England have promised further guidance on this area, although we don't presently record this specific data at St Mary's). In essence, belief cannot be assumed simply because someone attends church or church events, becomes a "friend" or gives

money to St Mary's. However, where someone is required to have affirmed belief (e.g. that they are baptised or that they are a member of the Church Electoral Roll) then this could be argued to reveal religious belief. A second legal basis is required for processing special category data, but the GDPR allows religious (amongst others) not-for-profit bodies to process such data without specific consent as long as it relates only to members or former members (or those who have regular contact with it in connection with those purposes) and provided there is no disclosure to a third party without consent.

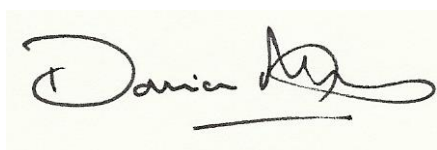
6. Note that each Incumbent is considered to be a separate data controller from their PCC because they are separate legal entities. (Therefore, the Vicar is not the data controller for Thorpe PCC who independently have that responsibility, for they are a data controller in their own right).

7. The GDPR has removed the requirement for data controllers to register with the Information Commissioner's Office (ICO) However, Andy West, as PCC Treasurer is already registered as the data controller for Thorpe PCC (which includes the CCTV system) and the PCC is exempt from the annual "data protection fee".

### **Action Plan for St Mary's**

We have identified several areas where we will be acting to meet the new requirements of GDP:

1. In April 2018 an email notification was sent to all who receive the weekly mailer asking them to opt-in to future communications. Those who didn't do so by Sunday 20<sup>th</sup> May have been deleted from the mailer list.
2. A new template letter has been drafted (see attached) asking for members of the church electoral roll to give their consent. (This template is from the Church Commissioners).
3. In June 2018 a data exercise will take place to weed our church files. All non-essential documentation over 7 years old will be shredded. Only essential PCC minutes and legal documents will be kept and re-filled. The weeding process will include wedding, funeral, baptism, confirmation, Electoral Roll, Noah's Ark, Safeguarding, Sunday Club and Gift-Aid paperwork which is presently stored.
4. The main locked red filing cabinet is to be re-located into the Choir cupboard, just inside the door which is a more secure location than the Wallace Room.
5. All paperwork and files containing data will need to be kept locked in the red filling cabinet. This includes Sunday Club and Noah's Ark registers and consent forms.
6. Keys to this cabinet will be restricted.
7. In July 2018 all applications forms will be reviewed. These will be ready for approval at the July PCC meeting. (They will now need a consent box for data handling and communications). A separate slip will need to be completed in the case of funeral families and contact about the Memorial Service.
8. As a general principle, we will not seek to collect data on any individuals within the life of the church, beyond that which is essential for us to meet legal obligations to ensure the safeguarding of children and vulnerable adults and for meeting financial obligations and gift-aid requirements.

A handwritten signature in black ink, appearing to read 'Damian Miles', with a horizontal line underneath.

Fr Damian Miles, Vicar of Thorpe  
May 2018