



## Data Protection Policy and Procedure

### Policy Statement

The United Reformed Church (“the Church”) views the correct and lawful handling of Personal Data as a key responsibility in its dealings with third parties. The Church shall ensure that it handles all Personal Data correctly and lawfully.

### Purpose

The purpose of this policy is to set out:

- the obligations of the Church with regard to data protection and the rights of people with whom it works in respect of their Personal Data under the Data Protection Act 2018 and the UK General Data Protection Regulation (“Data Protection Legislation”); and
- procedures which are to be followed when dealing with Personal Data.

### Scope

This policy applies to:

- employees based at Church House (86 Tavistock Place, London WC1H 9RT) and to those employees for whom Church House is their principal reporting base;
- ministers appointed to roles based at Church House;
- all temporary workers, contractors, agents, consultants or other parties working on behalf of the Church;
- all ministers involved in the work of the Church;
- all committee members and other volunteers involved in the work of the Church

## Procedure

### 1. The Data Protection Principles

This Policy aims to ensure compliance with Data Protection Legislation which sets out the principles with which any party handling Personal Data must comply. All Personal Data:

- 1.1. must be processed fairly and lawfully in a transparent manner;
- 1.2. must be obtained only for specified lawful grounds and shall not be processed in any manner which is incompatible with those purposes. Further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- 1.3. must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed;
- 1.4. must be accurate and, where necessary, kept up-to-date. Every reasonable step must be taken to ensure that personal data is accurate, having regard to the purposes for which it is processed, and is erased or rectified without delay;

- 1.5. must be kept for no longer than is necessary in light of the purpose(s) for which it is processed. Personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes, subject to implementation of the appropriate technical and organisational measures required by legislation in order to safeguard the rights and freedoms of the data subject;
- 1.6. must be processed in accordance with the rights of data subjects under the Data Protection Legislation;
- 1.7. must be protected against unauthorised or unlawful processing, accidental loss, destruction or damage through appropriate technical and organisational measures; and
- 1.8. must not transferred to a country or territory outside of the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of Personal Data.

## **2. Rights of Data Subjects**

- 2.1. Under Data Protection Legislation, data subjects have the right:
  - 2.1.1. to be informed that their Personal Data is being processed;
  - 2.1.2. to access any of their Personal Data held by the Church within 30 days of making a request;
  - 2.1.3. to rectification;
  - 2.1.4. to erasure (also known as the right to be forgotten) in certain circumstances;
  - 2.1.5. to restrict processing of their Personal Data;
  - 2.1.6. to data portability;
  - 2.1.7. to object; and
  - 2.1.8. not to be subject to a decision based solely on automated processing (including profiling).

## **3. Personal Data**

- 3.1. Personal Data is defined by Data Protection Legislation as data which relates to a living individual who can be identified from that data or from that data and other information which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.
- 3.2. Data Protection Legislation also defines 'special category personal data' as Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sexual life, sexual orientation, biometric or genetic data.
- 3.3. Special conditions apply to the processing of 'special category' data.

- 3.4. The Church only holds Personal Data which is directly relevant to its dealings with a given data subject. That data will be held and processed in accordance with the data protection principles and with this Policy.

#### **4. Processing Personal Data**

- 4.1. Any and all Personal Data collected by the Church (including that detailed in Section 3 of this Policy) is collected in order to ensure that the Church can facilitate efficient transactions with third parties including, but not limited to, its members, adherents and associates and efficiently manage its employees, ministers, contractors, agents and consultants. Personal Data shall also be used by the Church in meeting any and all relevant obligations imposed by law.
- 4.2. Personal Data may be disclosed within the Church in line with published Privacy Statements. Personal Data may be passed from one department to another in accordance with the data protection principles, Privacy Statements and this Policy. Under no circumstances will Personal Data be passed to any department or any individual within the Church that does not reasonably require access to that Personal Data with respect to the purpose(s) for which it was collected and is being processed.
- 4.3. The Church shall ensure that:
  - 4.3.1. all Personal Data collected and processed for and on behalf of the Church by any party is collected and processed fairly and lawfully;
  - 4.3.2. data subjects are made fully aware of the reasons for the collection of Personal Data and are given details of the purpose for which the data will be used;
  - 4.3.3. Personal Data is only collected to the extent that is necessary to fulfil the stated purpose(s);
  - 4.3.4. all Personal Data is accurate at the time of collection and kept accurate and up-to-date while it is being held and/or processed;
  - 4.3.5. no Personal Data is held for any longer than necessary in light of the stated purpose(s);
  - 4.3.6. all Personal Data is held in a safe and secure manner, taking all appropriate technical and organisational measures to protect the data;
  - 4.3.7. where feasible all Personal Data is transferred using secure means, electronically or otherwise;
  - 4.3.8. no Personal Data is transferred outside the EEA without first ensuring that appropriate safeguards are in place in the destination country or territory; and
  - 4.3.9. all data subjects can exercise their rights set out above in Section 2 and more fully in Data Protection Legislation.

#### **5. Data Protection Procedures**

- 5.1. The Church shall ensure that all of its employees, ministers, temporary workers, contractors, agents, consultants, committee members and other volunteers or other parties working on behalf of the Church comply with the following when processing and/or transmitting Personal Data:
  - 5.1.1. transmission by email of Personal Data will be avoided wherever possible;
  - 5.1.2. all emails containing sensitive Personal Data must be encrypted;

- 5.1.3. Personal Data may be transmitted over secure networks (including wireless networks) only – transmission over unsecured networks (including public or free Wi-Fi) is not permitted under any circumstances;
- 5.1.4. where Personal Data is to be transferred in hardcopy form, where possible, it should be passed directly to the recipient;
- 5.1.5. all hardcopies of Personal Data should be stored securely in a locked box, drawer, cabinet or similar;
- 5.1.6. all electronic copies of Personal Data should be stored securely and, where possible held encrypted on a drive or server which cannot be accessed via the internet; and
- 5.1.7. all passwords used to protect Personal Data should be changed regularly and should not use words or phrases which can be easily guessed or otherwise compromised.

## 6. Organisational Measures

The Church shall ensure that the following measures are taken with respect to the collection, holding and processing of Personal Data:

- 6.1. A designated officer (“the Designated Officer”) within the Church shall be appointed with the specific responsibility of overseeing data protection and ensuring compliance with Data Protection Legislation.
- 6.2. All employees, ministers, temporary workers, contractors, agents, consultants, committee members and other volunteers or other parties working on behalf of the Church are made fully aware of both their individual responsibilities and the Church’s responsibilities under Data Protection Legislation and shall be furnished with a copy of this Policy.
- 6.3. All employees, ministers, temporary workers, contractors, agents, consultants, committee members and other volunteers or other parties working on behalf of the Church managing Personal Data will be appropriately trained to do so.
- 6.4. All employees, ministers, temporary workers, contractors, agents, consultants, committee members and other volunteers or other parties working on behalf of the Church who manage Personal Data will be responsible for ensuring that any individual handling personal data is appropriately supervised.
- 6.5. Methods of collecting, holding and processing Personal Data shall be regularly evaluated and reviewed.
- 6.6. The performance of those employees, ministers, temporary workers, contractors, agents, consultants, committee members and other volunteers or other parties working on behalf of the Church handling Personal Data shall be regularly evaluated and reviewed.
- 6.7. All employees, ministers, temporary workers, contractors, agents, consultants, committee members and other volunteers or other parties working on behalf of the Church handling Personal Data will be bound to do so in accordance with the principles of Data Protection Legislation and this Policy.
  - 6.7.1. Failure by any employee or minister to comply with the principles or this Policy may result in disciplinary action.
  - 6.7.2. Failure by any committee member or other volunteer to comply with the principles or this Policy may be regarded as a breach of trust and, following investigation may result in removal from his/her role.

- 6.7.3. Failure by any temporary worker, contractor, agent, consultant, or other party to comply with the principles or this Policy shall constitute a breach of contract.
- 6.7.4. In all cases, failure to comply with the principles or this Policy may also constitute a criminal offence under Data Protection Legislation.
- 6.8. All contractors, agents, consultants, partners, or other parties working on behalf of the Church handling Personal Data must ensure that any and all of their employees who are involved in the processing of Personal Data are held to the same conditions as those relevant employees of the Church arising out of this Policy and Data Protection Legislation.
- 6.9. Where any volunteer, contractor, agent, consultant, partner or other party working on behalf of the Church handling Personal Data fails in their obligations under this Policy, that party shall indemnify and hold harmless the Church against any costs, liability, damages, loss, claims or proceedings which may arise out of that failure to the extent of any those costs, liability, damages, loss, claims or proceedings are not covered by the Church's own insurances.

## **7. Access by Data Subjects**

- 7.1. A data subject may make a subject access request ('SAR') at any time to see the information which the Church holds about them, what it is doing with that information and why.
- 7.2. Upon receipt of a SAR and confirmation of the data subject's identity, the Church shall have a period of 30 days within which to respond. The following information will be provided to the data subject:
  - 7.2.1. whether or not the Church holds any Personal Data on the data subject;
  - 7.2.2. a description of any Personal Data held on the data subject;
  - 7.2.3. details of what that Personal Data is used for;
  - 7.2.4. details of any third-party organisations that Personal Data is passed to; and
  - 7.2.5. details of any technical terminology or codes.

## **8. Data Breach Notification**

- 8.1. All personal data breaches must be reported immediately to the Church's Designated Officer
- 8.2. If a personal data breach occurs and that breach is likely to result in a risk to the rights and freedoms of data subjects (e.g. financial loss, breach of confidentiality, discrimination, reputational damage or other significant social or economic damage), the Designated Officer must ensure that the Information Commissioner's Office is informed of the breach without delay, and in any event, within 72 hours after having become aware of it.

## **9. Notification to the Information Commissioner's Office**

- 9.1. As a data controller, the Church is required to notify the Information Commissioner's Office that it is processing Personal Data. The Church is registered in the register of data controllers.
- 9.2. Data controllers must renew their registration with the Information Commissioner's Office on an annual basis. Failure to notify constitutes a criminal offence.
- 9.3. Any changes to the register must be notified to the Information Commissioner's Office within 28 days of taking place.

- 9.4. The Designated Officer shall be responsible for notifying and updating the Information Commissioner's Office.

## **10. Data Retention**

- 10.1. Full details of the Churches approach to data retention, including retention periods for specific personal data types held, are detailed in departmental data retention schedules.

### *Policy Owner*

Any queries regarding this policy should be addressed to the **Chief Operating Officer**.

### *Policy Approved by*

This policy was approved for use by Church House Management Group (CHMG) on 6 October 2016.

### *Policy Review*

We keep this Data Protection Policy under biennial review. This version was last reviewed by CHMG on 23 January 2024 and amendments made in **red**. **Historic versions are available from the HR Department.**