

HCC Data Protection Policy



Introduction

1. Huntingdonshire Community Church (HCC) is governed by the Data Protection Act 2018, the UK General Data Protection Regulation (GDPR) and the Privacy and Electronic Communications Regulations 2003 (PECR).

Purpose

2. HCC's employees and volunteers are required to adhere to this policy which is designed to protect the personal data of HCC data subjects - our visitors, church members, volunteers, employees and trustees. The purpose of this policy is to ensure that everyone understands their responsibility to comply with the principles and legal conditions provided by the data protection legislation, including the UK GDPR, and that failure to meet those responsibilities are likely to lead to serious consequences. Breach of the data protection legislation, including the UK GDPR rules, can cause distress to the individuals affected by the breach and is likely to leave HCC at risk of serious financial consequences. Failure to adhere to this policy is likely to be regarded as a serious disciplinary matter and will be dealt with under HCC's disciplinary rules and procedures.

Key Definitions

3. **Data Subject** This is the person whose personal information is being processed. For example, a church member, employee, volunteer or trustee.

4. **Data Controller** The person or organisation that determines the means and the purpose of processing the personal data.

5. **Personal data** is any information that identifies a living individual (data subject) either directly or indirectly. This also includes special categories of personal data. Personal data does not include data which is entirely anonymous or the identity has been permanently removed, making it impossible to link back to the data subject.

6. **Processing** is any activity relating to personal data which can include collecting, recording, storing, amending, disclosing, transferring, retrieving, using or destruction.

7. **Special Categories of Personal Data** These includes any personal data which reveals a data subject's: ethnic origin, political opinions, religious and philosophical beliefs, trade union membership, genetic, biometric or health data or sexuality.

8. **Criminal Records Data** This covers information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

9. **Privacy Policy** This is how we inform people about how their personal information will be used. HCC's privacy policy is provided on our website.

10. **Privacy Notice** This is a short notice when we collect personal information from people to inform them how their personal information will be used and to look at our privacy policy for more detail.

Data Protection Principles

11. HCC is a data controller. This means that we are required by law to ensure that everyone who processes personal data and special categories of personal data during the course of their work or volunteering with us, does so in accordance with the data protection legislation, including the UK UK principles. In brief, the principles say that:

- a. Personal data must be processed in a lawful, fair and transparent way.
- b. The purpose for which the personal information is collected must be specific, explicit and legitimate.
- c. The collected personal data must be adequate and relevant to meet the identified purpose.
- d. The information must be accurate and kept up to date.
- e. The personal data should not be kept in a form which permits identification of a data subject for longer than is necessary for the purposes for which it is used.
- f. The personal data must be kept confidential and secure and only processed by authorised personnel.

In addition, the UK GDPR provides rules relating to the transfer of personal data to countries outside of the European Economic Area.

Data Processing Purposes

12. HCC needs to process personal information about our different data subjects to:

- Process donations and gift aid claims
- Process legacies and pledges
- Enable individuals to participate in events
- Manage relationships with church members and visitors
- Provide supporters with information about us and the work that we do
- Manage marketing and communication preferences of those connected with the church
- Provide support to people with whom we partner
- Develop testimonies of church members and report on the work that we do
- Recruit and employ members of staff
- Recruit and manage volunteers
- Fulfil our legal and governance obligations as a registered charity
- Assist with pastoral care of individuals

Legal Basis for Processing Personal Information

13. HCC will only process personal data where it has a lawful basis (or bases) to process that information. The lawful basis may be any one of the following reasons or a combination of such reasons:

- a. Consent has been obtained by the data subject to process their personal data for specified purposes.

- b. Where we need data to perform an agreement we have entered into with the data subject, either for employment, volunteering or commercial purposes.
- c. Where we need to comply with a legal obligation.
- d. Where it is necessary for our legitimate interests (or those of a third party), and the interests and fundamental rights of the data subject do not override those interests.

14. There are other rare occasions where HCC may need to process the data subject's personal information, these include:

- a. Where we need to protect the data subject's interests (or someone else's interests).
- b. Where it is needed in the public interest (or for official purposes).

HCC will keep a documented inventory of the legal basis (or bases) which is (are) being relied on in respect of each processing activity it performs.

Responsibilities of Staff and Volunteers

15. HCC's Data Protection Lead, the Senior Leader, is required to:

- a. Provide compliance advice to staff
- b. Ensure that staff receive appropriate data protection training and guidance
- c. Ensure that HCC's data protection policies and documents are appropriate and up to date
- d. Be the focal point for the administration of any subject access requests (SARs)
- e. Deal with data subject rights in relation to erasure, objection, restriction and rectification that staff feel unable to manage themselves
- f. Log and assess all personal data breaches at HCC
- g. Refer data breach assessments to the Board of Trustees for a final decision on whether they should be reported to the Information Commissioner's Office (ICO)
- h. Renew and ensure that HCC's notification with the ICO is accurate
- i. Keep a central register of all organisations that HCC shares personal information with
- j. Advise staff on the interpretation of this policy and guidelines and to monitor compliance with the policy.

16. All staff and volunteers are responsible for:

- a. Working in compliance with the data protection principles as set out in this policy and any additional guidance
- b. Ensuring that any personal information that they provide to HCC in connection with their employment, volunteering or other contraction agreement is accurate

- c. Informing HCC of any changes to any personal information which they have provided, eg changes of address
- d. Responding to requests to check the accuracy of the personal information held on them and processed by HCC.

Data Subject Rights

17. Under the UK GDPR, subject to certain legal limitations, data subjects have available a number of legal rights regarding how their personal data is processed. At any time, a data subject can request that HCC should take any of the following actions, subject to certain legal limitations, with regard to their personal data:

- Allow access to the personal data
- Request corrections to be made to the data
- Request erasure of the data
- Object to the processing of the data
- Request that processing restrictions be put in place
- Request a transfer of personal data
- Object to automated decision making
- Notify the data subject of a data security breach

There are different rules and timeframes that apply to each of these rights. HCC's policies and procedures must be followed whenever a request is received in relation to any of the above rights.

Data Security

18. It is the responsibility of all staff and volunteers authorised to access personal data processed by HCC to ensure that data, whether held electronically or manually, is kept securely and not disclosed unlawfully, in accordance with this Policy. Unauthorised disclosure will usually be treated as a disciplinary matter and could be considered as constituting gross misconduct in some cases.

Training

19. All employees that handle personal information of individuals must have a basic understanding of the data protection legislation, including the UK GDPR. Staff with duties such as computer and internet security, or marketing and database management, may need specialist training to make them aware of particular data protection requirements in their work area.

20. Continuous training and updates will be provided on how to process personal data in a secure and confidential manner and in accordance with the spirit of the data protection legislation, including the UK GDPR

Complaints

21. If anyone believes that this policy has been breached by a colleague or to exercise all relevant rights, queries or complaints, they should in the first instance contact HCC's Data Protection Officer, the Senior Leader, via admin@hccuk.org.

Review and Update

22. This policy will be reviewed annually by the Board of Trustees to ensure alignment its effectiveness and compliance with relevant laws and regulations.