

ST. MARY'S CHURCH TAMERTON FOLIOT

DATA PROTECTION POLICY AND THE GDPR

The processing of personal data is governed by the General Data Protection Regulation (GDPR), which took effect in the UK from 25 May 2018. The Data Protection Act 2018 is the UK's implementation of the GDPR. It controls how your data is used by organisations, businesses or Government. The GDPR gives individuals greater rights and protection in how their personal data is used by organisations. Parishes must comply with its requirements, just like any other charity or organisation.

The PCC of St. Mary's Tamerton Foliot will comply with the GDPR by rigorous application of the following principles and completion of the listed actions by the dates set. This policy is entirely compliant with the Diocese of Exeter's GDPR Policy dated July 2023.

Underlying Principles: The law is complex, but there are a number of underlying principles, including that personal data¹:

1. Will be processed² lawfully, fairly and transparently.
2. Is only used for a specific processing purpose that the data subject has been made aware of and no other, without further consent.
3. Collected on a data subject should be "adequate, relevant and limited." i.e. only the minimum amount of data should be kept for specific processing.
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.

Consent, Rights and Accountability: The GDPR stipulates that, from May 2018, people will need to give their consent before the PCC sends them marketing and communications. This will need to be clear and unambiguous – some form of positive action to 'opt-in'. The PCC will need to gather this consent if not already done it. (See below)

In the same vein, Data Subjects³ have a number of rights, including that of knowing how data is used by the data controller⁴, of knowing what data is held about them, of correcting any errors and generally the right 'to be forgotten'. The PCC will make provision for people to exercise these rights, including developing a Privacy Notice.

The GDPR introduces a stronger requirement on accountability for data controllers. This means that the data controller must be able to show compliance with the principles by providing evidence.

Key Points: The following key points will direct this policy:

1. Consent for one element of data processing does not give permission to do anything else with it.
2. However, if the purpose of an individual supplying data to the PCC is clear and unambiguous, then a separate consent is not required. For example, a completed electoral roll application form provides sufficient consent to add the signatories to the roll. Likewise, a

¹ Personal data is information about a living individual which is capable of identifying that individual.

² Processing is anything done with/to personal data, including storing it.

³ The Data Subject is the person about whom personal data are processed.

⁴ The Data Controller is the person or organisation who determines the how and what of data processing, in a parish usually the incumbent or PCC.

completed Gift Aid declaration is sufficient consent for the PCC to claim Gift Aid on the relevant donations.

3. Where the PCC decides to collect consents, e.g. to be added to an email mailing list, the Data Controller will store those consents securely in a form appropriate to the medium in which the consents are collected. Where appropriate, different consent forms (or elements within a single form) to cover different areas of data processing within the life of the church will be used.

Areas for Action:

1. The PCC reviewed and adopted this Policy and the associated Data Privacy Notice at the PCC meeting on 22nd July 2025.
2. Treasurer, ERO and Planned Giving Officers will review what data is held, how it is stored, and under which basis we process it, using the template at Annex to this policy. Particular attention needs to be paid to proving that "active" consent has been given for any personal data held.
3. The PCC will then review whether it needs to gain consent from some data subjects, noting that there will still be some data processing one can do as part of normal church management that doesn't need specific consent for that particular action – for example, lists of group members. This is covered by a special processing condition under the GDPR for religious (amongst others) not-for-profit bodies, provided the processing 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.
4. If further consent is required, the form attached to the Privacy Notice will be used.

ST. MARY'S TAMERTON FOLIOT – PARISH GDPR DATA AUDIT

Description	Why is Data held and what is it used for?	Basis for processing data (e.g. consent, legal obligation)	Who holds data and who can access it?	What security controls are in place?	How long is data kept for?	Covered in Privacy Notice?	Any Action Required
Gift Aid Declarations	To claim gift aid	Legal Obligation	Held by Planned Giving Officer	Collated by Treasurer. ESET security protected.	Six calendar years after last claim	Yes	Note 1
Planned Giving details	To process Planned Giving	Legal Obligation	Held by Planned Giving Officer	Password controlled database on PC.	Six calendar years after last claim	Yes	No
Electoral Roll	To register those on Electoral Roll	Legal Obligation	Held by Electoral Roll Officer	Password controlled lists on PC.	Six calendar years after last registration.	Yes	No
DBS Register	To register those who have DBS	Legal Obligation	Held by Safeguarding Officer	Hard copy held in locked filing cabinet.	Six months after volunteer has ceased in role.	Yes	No
Child Group Register	To register those working with Children	Legal Obligation	Held by Child Advocate	Password controlled lists on PC.	Six months after volunteer has ceased in role.	Yes	No
Church Yard Register	Church Yard Appeal Contacts	Consent	Held by Church Yard Appeal Officer	Hard copy held securely	Six calendar years after last contact	Yes	No

Note 1. BACS monthly and annual payments are controlled by the payer. Records are recorded on computer only and stored securely by the treasurer using a Data Developments secure accounting system with multiple security-controlled passwords. Back up is by Maxtor secure hard disk. Records are held for six years, then deleted. Non tax payers' records are not held on file. Lists are reviewed at the end of each accounting year. Personal details of all tax paying members are held only by the Treasurer.

DATA PRIVACY NOTICE

The Parochial Church Council (PCC) of St Mary's Church, Tamerton Foliot

1. Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the Data Protection Act (2018) and the General Data Protection Regulation 2018 (the "GDPR").

2. Who are we?

The PCC of St Mary's, Tamerton Foliot is the data controller (contact details below). This means it decides how your personal data is processed and for what purposes.

3. How do we process your personal data?

The PCC of St Mary's, Tamerton Foliot complies with its obligations under the "GDPR" by keeping personal data up to date; by storing and destroying it securely; by not collecting or retaining excessive amounts of data; by protecting personal data from loss, misuse, unauthorised access and disclosure and by ensuring that appropriate technical measures are in place to protect personal data.

We use your personal data for the following purposes: -

- To enable us to provide a voluntary service for the benefit of the public in a particular geographical area as specified in our constitution;
- To administer membership records;
- To fundraise and promote the interests of the charity;
- To manage our employees and volunteers;
- To maintain our own accounts and records (including the processing of gift aid applications);
- To inform you of news, events, activities and services running at St Mary's;
- To share your contact details with the Diocesan office so they can keep you informed about news in the diocese and events, activities and services that will be occurring in the diocese and in which you may be interested.

4. What is the legal basis for processing your personal data?

- Explicit consent of the data subject so that we can keep you informed about news, events, activities and services and keep you informed about diocesan events.
- Processing is necessary for carrying out legal obligations in relation to Gift Aid or under employment, social security or social protection law, or a collective agreement;
- Processing is carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided: -
 - the processing relates only to members or former members (or those who have regular contact with it in connection with those purposes); and
 - there is no disclosure to a third party without consent.

5. Sharing your personal data

Your personal data will be treated as strictly confidential and will only be shared with other members of the church in order to carry out a service to other church members or for purposes connected with the church. We will only share your data with third parties outside of the parish with your consent.

6. How long do we keep your personal data¹?

We keep data in accordance with the guidance set out in the guide "Keep or Bin: Care of Your Parish Records" which is available from the Church of England website [see footnote for link].

Specifically, we retain electoral roll data while it is still current; gift aid declarations and associated paperwork for up to 6 years after the calendar year to which they relate; and parish registers (baptisms, marriages, funerals) permanently.

7. Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data: -

- The right to request a copy of your personal data which the PCC of St Mary's, Tamerton Foliot holds about you;
- The right to request that the PCC of St Mary's, Tamerton Foliot corrects any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for the PCC of St Mary's, Tamerton Foliot to retain such data;
- The right to withdraw your consent to the processing at any time;
- The right to request that the data controller provide the data subject with his/her personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable) *[Only applies where the processing is based on consent or is necessary for the performance of a contract with the data subject and in either case the data controller processes the data by automated means]*.
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, (where applicable) *[Only applies where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics]*
- The right to lodge a complaint with the Information Commissioners Office.

8. Further processing

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing.

9. Contact Details

To exercise all relevant rights, queries or complaints please in the first instance contact the PCC Secretary at [e-mail: pateyres@talk21.com or telephone 07711 422396].

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

This PCC Privacy Notice is fully compliant with, and draws its genesis from, the National Church Institutions Safeguarding Privacy Notice dated July 2019.

¹ Details about retention periods can currently be found in the Record Management Guides located on the Church of England website at: - <https://www.churchofengland.org/more/libraries-and-archives/records-management-guides>

St. Mary's Church, Tamerton Foliot – GDPR Consent Form (if needed)

By signing this form you are confirming that you have read this Data Protection Notice and that you are consenting to the PCC of St. Mary's, Tamerton Foliot holding and processing your personal data for the following purposes (please tick the boxes where you are happy to grant consent): -

Name:.....

Address.....

Telephone.....

Email address.....

- ☐ *To keep you informed about news, events, activities and services;*
- ☐ *To contact you with surveys about current events;*
- ☐ *To share your contact details with the diocesan office so they can keep you informed about news and events, activities and services that will be occurring in the diocese and which are directly relevant to the role you are undertaking;*
- ☐ *All of the above.*

By email [] by text [] by post [] by phone []

You can grant consent to all the purposes; one of the purposes or none of the purposes. Where you do not grant consent we will not be able to use your personal data and thus inform you under any category you prescribe, except in certain limited situations, such as where required to do so by law or to protect members of the public from serious harm.

If you do grant consent, please note you can withdraw your consent to all or any one of the above purposes at any time by contacting the PCC secretary [*contact details above*]. Please note that all processing of your personal data will cease once you have withdrawn consent but this will not affect any personal data that has already been processed prior to this point.

SIGNED

DATED