

# Data Protection

## Treasurers Training 2018

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## Content

1. Brief overview of data protection
2. What does it mean for treasurers?
3. Consent
4. Retention and Disposal
5. Storage
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## What about Brexit?!



## 2018 Data Protection Act

- GDPR
- Gives individuals more rights and control over their data
- Tighten up what you do already



## What is this language?

- **Personal data:** information about a living individual which can identify that individual.
- **Data subject:** person about whom personal data is processed.
- **Data controller:** person/organisation who decides the how and what of data processing.
- **Data processor:** responsible for processing personal data on behalf of a controller.
- **Processing:** anything done with/to personal data, including storing it.



## What's the point?

You May Also Be Interested In:

## Key principles

Personal data must:

- be processed **lawfully, fairly and transparently**
- only used for a **specific processing purpose** that the data subject is aware of
- be "**adequate, relevant and limited**"
- be "**accurate** and where necessary **kept up to date**"
- not be stored for **longer than is necessary**
- be processed in a manner that ensures appropriate **security and protection**



## What's new

- Consent: **informed, opt-in**
- New **rights** for data subjects
- Data should only be used for **purpose it was gathered for** & **deleted** when no longer required
- **Tougher sanctions** for non-compliance & for sharing data outside the EEA
- Staff & data users should have suitable **training & advice**
- Serious **data breaches** must be reported to ICO within 72 hrs
- Principle of **accountability** - onus on data controller



## Legal basis for processing (using) data

- Consent
- Necessary for a contract, e.g. employment
- Legal obligations (e.g. HMRC)
- Vital interests (e.g. individual safety)
- Public interest
- Legitimate interests

## ROBUST SYSTEMS & EVIDENCE



## Rights of the Data Subject

1. The right to be **informed**
2. The right of **access**
3. The right to **rectification**
4. The right to **erasure**
5. The right to **restrict processing**
6. The right to **data portability**
7. The right to **object**
8. Rights in relation to **automated decision making and profiling**.



## Privacy Notice

- What data you use
- How you use it
- How they exercise their rights



## Data breaches

1. Accidental or unlawful destruction
2. Loss
3. Alteration
4. Unauthorised access

### When a data breach occurs...

- Notify appropriate Information Commissioner:
  - Where **feasible within 72 hours**
  - Unless breach is unlikely to result in risk to individuals
- Requirement to notify individuals if breach is likely to result in high risk to the individuals affected



## What's the problem?

1. You have a list of families who have baptised their children in your church. You email them the monthly newsletter about what's happening in the church.
2. You have a list of everyone who does planned giving. You email it to the fundraising committee of the village hall.



## What does it mean for treasurers?

PCCs are exempt if they only hold the following data:

- Electoral Roll
- Gift Aid Records
- Accounting Records
- Employee Payroll Records
- Membership lists of groups



## What does it mean for treasurers?

Common things it does apply to:

- Fundraising
- Giving other than Gift Aid (e.g. Parish Giving Scheme)

**CONSENT**



## Consent

Consent for one thing does not mean you have consent for everything.

- Active opt-in
- Clear what for (not all in a bundle!)
- Named
- Documented
- Easy to withdraw
- No imbalance in relationship



## Consent for role holders

- Consent can't be "freely given" by role-holders, even volunteers
- Use a different legal basis for processing their data in relation to their role & responsibilities
- BUT ensure consent for any intended data processing unrelated to their role (e.g. prayer lists)



## Retention and Disposal



## Retention and Disposal

OR

### Keep or Bin

[https://www.churchofengland.org/sites/default/files/2017-11/care\\_of\\_parish\\_records\\_keep\\_or\\_bin\\_-\\_2009\\_edition.pdf](https://www.churchofengland.org/sites/default/files/2017-11/care_of_parish_records_keep_or_bin_-_2009_edition.pdf)



## Storage

### Papers:

- Locked
- Limited access

### Electronic files:

- Passwords
- Limited access
- Antivirus
- Portability of device
- Encryption



## Is this ok?

1. Sort the scenarios into two columns: Yes and No.
2. Make a note of your groups key reasons for the decision and any questions you might have.



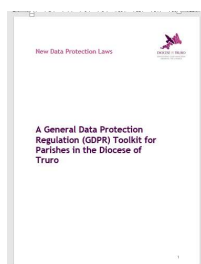
## What do you need to do?

1. Identify the data you use.
2. Decide if that data is exempt or if there is another legal basis.
3. Get consent where you need it.
4. Apply the retention and disposal guidelines.
5. Keep it securely stored.

If in doubt, ask us!



## Help is at hand!



<https://www.trurodiocese.org.uk/resources/parish-resources/gdpr-data-protection/>



## Help is at hand!

- Parish Resources website
- Information Commissioners website

Church House staff are happy to help.

[info@truro.anglican.org](mailto:info@truro.anglican.org)

01872 274351



# Any questions?



## Contact us

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