



General Data Protection Regulation (GDPR) and what it means for St Peter's Church

This is a brief outline of what GDPR means and what St Peter's needs to do to make sure we are compliant with the new regulations coming into force on **25th May 2018**. It is not exhaustive report on GDPR and so therefore should not been used as such. If you would like a more in-depth look at GDPR there are numerous websites on the subject on the internet with all the information you might find useful. However, the one the Church of England recommends for churches is www.parishresources.org.uk/gdpr/

So what is GDPR?

The General Data Protection Regulation (GDPR) will take 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. Parishes must comply with its requirements, just like any other charity or organisation.

Underlying Principles

The law is complex, but there are six lawful bases for processing data which are set out in Article 6 of the GDPR. We need to make sure at least one of these applies when we process data:

- (1) **Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.
- (2) **Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- (3) **Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
- (4) **Vital interests:** the processing is necessary to protect someone's life.
- (5) **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- (6) **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. (This cannot apply if you are a public authority processing data to perform your official tasks.)

Explaining some of the jargon:

Personal data is information relating to a living individual, who can be identified directly from that data or indirectly by reference to other data held i.e. names, contact details etc. Individuals have the right to know how it exists and how it is being used, stored, for how long. Individuals also have the right 'to be forgotten'.

Data Assets are every list, spreadsheet, register, collection of forms, directories etc, anything that contains 'Data'

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

The **data subject** is the person about whom personal data are processed.

So does GDPR mean for St Peter's?

Firstly we would like be clear that your privacy has always been important to us and we make sure we store and use it securely and sensitively.

However, due to the changes in law we do need **explicit consent** in order to continue to communicate with you and we are not currently completely covered. When we think about consent we will be looking at 'how' we obtained the data. 'Why' we have it and 'what' you, the owner, permits us to do with it. Consent should always be clear, specific, freely given with an 'opt-in' policy not an 'opt-out' one.

We are therefore asking for you to fill in the new consent form to enable us to send you information about events, weekly sheet and services after 25th May 2018. Forms can be found on the website or at the back of church. If you do not respond we will have to rely on any previous consent you have given us and the explicit reason on this previous form.

It is important to note that much of what we do as a church requires the appropriate use of data to fulfil our charitable aims and objectives and so we can apply the lawful base 'Legitimate Interest'. This means we can utilise data without explicit consent. For example to operate a team rota we will need to hold the contact details for team members and depending on circumstances we may need to share those details with other members of the team we do not need explicit consent for this.

On the other hand that if you fill in a consent form and 'withdraw' consent by NOT ticking the boxes under 'Keeping in Touch' then we will not be able to contact you via those method after 25th May 2018 and will not be able to use the lawful base of legitimate interest. So it is very important that you think through your answers on your consent form. Please also note that this form will not be the source for gaining data to create a new Parish Directory.

Data Audit: We are currently in the process of conducting a Data Audit so if you hold any data on behalf of the church please could you let the office know as soon as possible so that it can be added to the Audit. Thank you.