



# Data Protection Policy

Approved September 9<sup>th</sup> 2024  
Amended November 12<sup>th</sup> 2024

## **GARSTANG FREE METHODIST CHURCH**

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# Data Protection Policy

GFMC/PD/05

## Introduction

1. Garstang Free Methodist Church (GFMC) needs to keep certain information on its members and those who participate in ministries arranged by GFMC in order to carry out its day-to-day operations and meet its objectives and obligations.
2. GFMC recognises that protecting the security, confidentiality, and integrity of Personal Data is a critical responsibility that is taken seriously at all times. GFMC is committed to ensuring any personal data will be dealt with in line with the Data Protection Act 1998 (DPA) and The General Data Protection Regulations 2018 (GDPR).
3. GFMC considers itself to qualify as a Charity Exempt from Registration with the Information Commissioner's Office (ICO). However, GFMC recognises that it is bound to be compliant with the General Data Protection Regulation (GDPR).
4. This document details how GFMC complies with the Data Protection Act 1998 (DPA) and The General Data Protection Regulations 2018 (GDPR). The definition of some of the terms use in this document can be found in Appendix 2.

## GFMC Data Contacts

5. The following GFMC contacts should be used:
  - The Data Controller(s) are the GFMC Elders & Trustees.
  - The Nominated Trustee for Data is Paul Wells, [email gotec@hotmail.co.uk](mailto:gotec@hotmail.co.uk).
  - The Appropriate Data Controller:
    - > for general administration of routine day to day Church business, is the Church Administrator, [email info@garstangfmc.org.uk](mailto:info@garstangfmc.org.uk).
    - > for Ministry Groups within the Church, where records and registers are kept including Children's Groups, Small Groups, Seniors Ministry, is the overall leader of that Group.

## **Prior to Data Collection**

6. Prior to the collection of any data a Legitimate Interest Assessment, see Appendix 1, should be carried out, which will identify the requirement to collect the data, the minimum amount of data to be collected and the safe storage of the data.
7. The Consent of the Data Subject, their guardian or their lawful representative must be obtained prior to the data being collected. Should there be an objection to data being collected, it may mean that GFMC will have to refuse entry into Church ministries, particularly for persons under 18 years old and vulnerable people.

## **Data Collection**

8. GFMC will ensure that all Personal Data collected will be:
  - obtained fairly and lawfully and shall not be processed, unless certain conditions are met;
  - obtained for a specific and lawful purpose;
  - adequate, and relevant, but not excessive;
  - accurate and kept up to date;
  - processed in accordance with the rights of Data Subjects;
  - subject to appropriate security measures against unlawful or unauthorised processing of Personal Data and against the accidental loss of, or damage to, Personal Data;
  - only shared with others internally on a strict need-to-know basis;

## **Data Protection**

9. GFMC will implement reasonable and appropriate security measures against unlawful or unauthorised processing of Personal Data and against the accidental loss of, or damage to, Personal Data in accordance with the good practice outlined in paragraph 13 below.
10. GFMC will ensure that no Personal Data will be displayed or distributed, to persons who do not have a Legitimate Interest, without the consent of the Data Subject, or their guardian or lawful representative. All consents must be positively received.
11. GFMC will ensure that Personal Data will not be made available to a 3rd party, unless to fulfil a legitimate obligation.
12. GFMC will exercise particular care in protecting Special Category Data and Criminal Offence Data from loss and unauthorised access, use, or disclosure

## Data Protection Good Practice

13. The following good practice should be implemented by all people handling Personal Data relating to GFMC people:

- protecting the security of your IT equipment and mobile devices, including taking good care of devices;
- not leaving Personal Data unattended;
- operating a 'clean desk' policy, including not leaving documents containing Personal Data lying about unattended;
- keeping paper records, particularly those containing sensitive Personal Data, in locked filing cabinets, cupboards or other secure locations;
- not leaving paper records containing Personal Data in public areas;
- taking care when typing email addresses;
- considering whether to use the BCC field for general correspondence, including mailshots;
- backing up computer files regularly;
- not leaving devices unattended, if this is necessary, make use of the screensaver function requiring a password to log back into the session you were in, use the WIN + L shortcut key combination;
- not printing information unless really needed and if so, store it somewhere safe;
- ensuring live and backup files are secure, including password protection;
- storing computer files on a password-protected machine;
- only mentioning people's names and situations in public worship and open prayer, if the person has given their express permission, this applies to prayers written, spoken or otherwise.

## Rights of the Data Subject

14. The person, or legal guardian, who is the Data Subject, has the right to:

- request a copy of the Personal Data which GFMC holds about them;
- request that GFMC corrects any Personal Data, if it is found to be inaccurate or out of date;
- request that Personal Data is erased, when it is no longer necessary for GFMC to retain such data;
- withdraw consent to the Processing or parts of the Processing, at any time
- request a restriction is placed on further Processing, where there is a dispute in relation to the accuracy or processing of Personal Data;
- object to the Processing of Personal Data, where applicable;
- lodge a complaint with the Information Commissioner's Office.

## Where to go for Help

15. If you believe there has been a breach of data, in the first instance contact the Appropriate Data Controller, or if that is not possible or practical then contact the Trustees via the Nominated Trustee. In the unlikely event that your concern has not been addressed to your satisfaction, the Information Commissioner's Office (ICO) is the Government body with overall responsibility for Data Control, see <https://ico.org.uk>.

## Data Disposal

16. When historical data is no longer required by law, it must be shredded and securely disposed of. It should be noted that:
  - financial data may have a statutory retention time, often 7 Years;
  - data that could be connected to Safeguarding must be kept forever in case an historic incident requires investigation.

## Approvals & Amendments

17. This GFMC Data Protection Policy Document was:
  - Written by Paul Wells, Nominated Trustee for Data;
  - Approved by the Elders & Trustees; September 2024
  - Minor Amendments approved by the Elders & Trustees
1. November 12th 2024 - Removed Signature box & changed ET to E&T

## Legitimate Interest Assessment

To ensure that the processing of Personal Data is necessary and appropriately carried out, the tests below should be used.

### Identifying The Legitimate Interest(s)

- Why do we need to Process the data?
- Who benefits from the Processing of the data?
- What would the impact be if you couldn't go ahead?
- Would your use of the data be unethical or unlawful in any way?

### Necessity Test

- Does the processing of data actually help to further that interest?
- Is it a reasonable way to go about it?
- Is there another less intrusive way to achieve the same result?

### Balancing Test

- What is the nature of our relationship with the individual?
- Is any of the data particularly sensitive or private?
- Would people expect you to use their data in this way?
- Are you happy to explain it to them?
- Are some people likely to object or find it intrusive?
- What is the possible impact on the individual?
- Are any of the individuals vulnerable in any other way?
- Can you adopt any safeguards to minimise the impact?
- Can you offer an opt-out.

### Definitions

- **Data Users** are volunteers & paid staff who handle Personal Data.
- **The Data Controller(s)** is a duty of the Elder Trustees
- **Appropriate Controller** is the Controller for the matter in hand.
- **Nominated Trustee** is the nominated Elder Trustee who takes the lead role in the Protection of Data
- The **Data Subject** is a living, identified or identifiable individual about whom Personal Data is held. These people could include:
  - > Pastoral Staff
  - > Church Employees;
  - > Ministry Leaders;
  - > Church Members;
  - > Others who attend GFMC;
  - > Young people under the age of 18, whether or not their parents/guardians attend GFMC;
  - > Children, who attend primary school, whether or not their parents/guardians attend GFMC;
  - > Preschool children, whether or not their parents/guardians attend GFMC;
  - > Volunteers;
  - > third parties, such as community groups who use the Church premises.
- **Personal Data** is any information identifying a living individual or information relating to an individual that can be identified from that information/data, alone or in combination with other information in your hands or that can reasonably be accessed. Personal Data can be factual or an opinion about that person's actions or behaviour. Personal Data includes an individual's name, address, date of birth, telephone number, email address, photograph, disability, health or ethnicity.
- **Processing, Processed or Process** is any activity that involves the use of Personal Data. It includes obtaining, recording, or holding the data, or carrying out any activity or set of activities on the data including organising, amending, retrieving, using, disclosing, erasing, or destroying it. This includes paper and electronic-based personal data as well as verbal transmission. Processing also includes transmitting or transferring Personal Data to third parties, including sharing member information by email and shredding when information is no longer required.
- **A Legitimate Interest Assessment of Data** is a process used to ensure that Processing Personal Data is necessary and appropriately carried out, see Appendix 1.



## Appendix 2 (continued)

- **Personal Data Breach** is any act or omission that compromises the security, confidentiality, integrity or availability of Personal Data or the physical, technical, administrative, or organisational safeguards that we as a Church have put in place to protect it. The loss, or unauthorised access, disclosure, sharing or acquisition of Personal Data, including emailing data to the wrong person or leaving Personal Data in a public place where others can access it.