

Bradford on Avon Community Church (The Bradford on Avon Christian Fellowship Trust)

Data Protection Policy

1. Introduction

Bradford on Avon Community Church (BOACC) needs to collect and use certain types of information about individuals who come into contact with the church in order to carry on our work. This personal information must be collected and dealt with appropriately whether it is collected on paper, stored in a computer database, or recorded on other material and there are safeguards to ensure this under the Data Protection Act 1998.

2. Data Controller

BOACC is the Data Controller under the Act, which means that it determines what purposes personal information held, will be used for (see Appendix 1). It is also responsible for notifying the Information Commissioner of the data it holds or is likely to hold, and the general purposes that this data will be used for.

3. Disclosure

BOACC may share data with other agencies such as the local authority, funding bodies and other voluntary agencies. The individual will be made aware in most circumstances how and with whom their information will be shared. There are circumstances where the law allows BOACC to disclose data (including sensitive data) without the data subject's consent.

These are:

- a. Carrying out a legal duty
- b. Protecting vital interests of an individual or other person
- c. The individual has already made the information public
- d. Conducting any legal proceedings, obtaining legal advice or defending any legal rights
- e. Monitoring for equal opportunities purposes – i.e. race, disability or religion
- f. Providing a confidential service where the individual's consent cannot be obtained or where it is reasonable to proceed without consent: e.g. where we would wish to avoid forcing stressed or ill individuals to provide consent signatures.

BOACC regards the lawful and correct treatment of personal information as very important to successful working, and to maintaining the confidence of those with whom we deal.

BOACC intends to ensure that personal information is treated lawfully and correctly.

To this end, BOACC will adhere to the Principles of Data Protection, as detailed in the Data Protection Act 1998.

Specifically, the Principles require that personal information:

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –
 - a. at least one of the conditions in Schedule 2 is met, and
 - b. in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed (see Appendix 2).
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes (see Appendix 3).
6. Personal data shall be processed in accordance with the rights of data subjects under this Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

BOACC will, through appropriate management and strict application of criteria and controls:

- Observe carefully conditions regarding the fair collection and use of information (see Appendix 4).
- Meet its legal obligations to specify the purposes for which information is used
- Collect and process appropriate information, and only to the extent that it is needed to fulfill its operational needs or to comply with any legal requirements
- Ensure the quality of information used
- Ensure that the rights of people about whom information is held, can be fully exercised under the Act. These include:
 - The right to be informed that processing is being undertaken,
 - The right of access to one's personal information
 - The right to prevent processing in certain circumstances and

- The right to correct, rectify, block or erase information which is regarded as wrong information)
- Take appropriate technical and organizational measures to safeguard personal information
- Ensure that personal information is not transferred abroad without suitable safeguards
- Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information
- Set out clear procedures for responding to requests for information (see Appendix 5).

4. Data collection

Informed consent is when an individual clearly understands why their information is needed, who it will be shared with, the possible consequences of them agreeing or refusing the proposed use of the data; and then gives their consent.

BOACC will ensure that data is collected within the boundaries defined in this policy. This applies to data that is collected in person, or by completing a form.

When collecting data, BOACC will try to ensure that the individual:

1. Clearly understands why the information is needed
2. Understands what it will be used for and what the consequences are should the individual decide not to give consent to processing
3. As far as reasonably possible, grants explicit consent, either written or verbal for data to be processed
4. Is, as far as reasonably practicable, competent enough to give consent and has given so freely without any duress
5. Has received sufficient information on why their data is needed and how it will be used

5. Data Storage

Information and records relating to individuals will be stored securely and will only be accessible to authorised staff and volunteers (see Appendix 6).

Information will be stored for only as long as it is needed and will be disposed of appropriately (see Appendix 3).

It is the responsibility of BOACC to ensure all personal and company data is non-recoverable from any computer system previously used within the organisation.

6. Data access and accuracy

All individuals have the right to access the information BOACC holds about them.

BOACC will also take reasonable steps ensure that this information is kept up to date by asking data subjects whether there have been any changes.

In addition, BOACC will ensure that:

- It has a Data Protection Officer with specific responsibility for ensuring compliance with Data Protection
- Everyone processing personal information understands that they are contractually responsible for following good data protection practice
- Everyone processing personal information is appropriately trained to do so
- Everyone processing personal information is appropriately supervised
- Anybody wanting to make enquiries about handling personal information knows what to do
- It deals promptly and courteously with any enquiries about handling personal information
- It describes clearly how it handles personal information
- It will regularly review and audit the ways it hold, manage and use personal information
- It regularly assesses and evaluates its methods and performance in relation to handling personal information
- All staff are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against them

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the Data Protection Act 1998.

In case of any queries or questions in relation to this policy please contact the BOACC Data Protection Officer:

Chris Browne
Office: 16 St. Margaret's Street, Bradford on Aon, Wiltshire, BA15 1RJ
Email: chris.browne@boa-communitychurch.org.uk
Phone: 01225 868361

Signed:

Position:

Date:

Review Date:

Appendix

Appendix 1: Purposes for usage of personal data

BOACC has a few specific purposes for the data we hold on individuals. These are:

- To provide pastoral and spiritual care
- To keep a database of our church members
- To inform church members, guests and visitors of our work
- To assist in the organisation of the church groups and ministries
- To keep adequate financial records where the individual donates money to the church

Appendix 2: The personal data we will hold

BOACC will only keep the personal data which is important for its work. This is:

- Full name (including middle names)
- Date of birth
- Address
- Home telephone number
- Mobile telephone number
- Email address
- Gender
- Marital status
- Medical information where appropriate (e.g. food allergies)
- Criminal record/proceedings where appropriate (DBS checks)

Appendix 3: How long do we hold personal data

BOACC will hold personal data only as long as needed. As a guide we will dispose of personal data 1-2 years after an individual no longer has contact with the church. After this time the information will be deleted from computer databases and hard copies will be shredded.

Appendix 4: Collection of personal data

Personal data in a church setting is often given on an informal basis e.g. to arrange a meal with a visitor. Personal data is often collected in such circumstances by individuals, such as members of the leadership team, who then pass it to the Data Officer. When this occurs the Data Officer will contact the individual concerned and ask for their permission to hold their personal data.

Appendix 5: Procedure following request for information

BOACC understands that individuals have a right to see the information it holds on them. When this is requested we will use the following procedure.

1. Ask for the request in writing
2. The Data Officer will review the request and if appropriate seek professional advice regarding the disclosure
3. The Data Officer will inform the BOACC Trustees and Elders of the request
4. The individual will be given a written response which will;
 - a. Show the information we hold, or
 - b. In exceptional circumstances explain why we can't release the information
5. A record of the correspondence will be kept for future reference

Appendix 6: Data storage and access

Data will mainly be stored on computer databases. These documents or software programs will be password protected.

Hard copies will be kept in a locked cabinet at the BOACC office.

Authorised staff and volunteers include:

- All Trustees
- All Elders
- All members of the general (wider) leadership team
- The pastoral team leader
- The treasurer
- Administrative staff in the BOACC office

Glossary of Terms

Data Controller – The person who (either alone or with others) decides what personal information BOACC will hold and how it will be held or used.

Data Protection Act 1998 – The UK legislation that provides a framework for responsible behaviour by those using personal information.

Data Protection Officer – The person(s) responsible for ensuring that BOACC follows its data protection policy and complies with the Data Protection Act 1998.

Individual – The person whose personal information is being held or processed by BOACC for example: a church member, an employee, or church contact.

Explicit consent – is a freely given, specific and informed agreement by an individual in the processing of personal information about her/him. Explicit consent is needed for processing sensitive data.

Notification – Notifying the Information Commissioner about the data processing activities of BOACC, as certain activities may be exempt from notification.

The link below will take to the ICO website where a self-assessment guide will help you to decide if you are exempt from notification:

http://www.ico.gov.uk/for_organisations/data_protection/the_guide/exemptions.aspx

Information Commissioner – The UK Information Commissioner responsible for implementing and overseeing the Data Protection Act 1998.

Processing – means collecting, amending, handling, storing or disclosing personal information.

Personal Information – Information about living individuals that enables them to be identified – e.g. name and address. It does not apply to information about organisations, companies and agencies but applies to named persons, such as individual volunteers or employees within BOACC.

Sensitive data – refers to data about:

- Racial or ethnic origin
- Political affiliations
- Religion or similar beliefs
- Trade union membership
- Physical or mental health
- Sexuality
- Criminal record or proceedings