



# OTTERY ST MARY PARISH CHURCH

## Data Privacy Notice

### GENERAL PRIVACY NOTICE

#### **Your personal data – what is it?**

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be by the information alone or in conjunction with any other information. The processing of personal data is governed by the Data Protection Act 2017/8; the General Data Protection Regulation 2016/679 (the “GDPR”) and other legislation relating to personal data and rights such as the Human Rights Act 1998.

#### **Who are we?**

This Privacy Notice is provided to you by the Parochial Church Council (PCC) of Ottery St Mary which is the data controller for your data.

The Church of England is made up of a number of different organisations and office-holders who work together to deliver the Church’s mission in each community. The PCC works together with:

- the incumbent of the parish (that is, our rector);
- the bishop of the Diocese of Exeter;
- the Exeter Diocesan Board of Finance, which manages the financial affairs and assets of the Diocese of Exeter;
- the Otter Vale Mission Community

As the Church is made up of all of these persons and organisations working together, we may need to share personal data we hold with them so that they can carry out their responsibilities to the Church and our community. The organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

Each of the data controllers has their own tasks within the Church and a description of what data is processed and for what purpose is set out in this Privacy Notice. This Privacy Notice is sent to you by the PCC on our own behalf and on behalf of each of these data controllers. In the rest of this Privacy Notice, we use the word “we” to refer to each data controller, as appropriate.

#### **What data do the data controllers listed above process? They will process some or all of the following where necessary to perform their tasks:**

- Names, titles, and aliases, photographs;
- Contact details such as telephone & mobile phone numbers, addresses, and email addresses;
- Where they are relevant to our mission, or where you provide them to us, we may process demographic information such as gender, age, date of birth, marital status, nationality, education/work histories, academic/professional qualifications, hobbies, family composition, and dependants;
- Where you make donations or pay for activities such as use of a church hall, financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers;

The data we process is likely to constitute sensitive personal data because, as a church, the fact that we process your data at all may be suggestive of your religious beliefs. For those requesting it, we provide marriage preparation, pastoral care and other similar services, for which by consent we may also process other categories of sensitive personal data: e.g. revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, data concerning health, sex life or sexual orientation; and (e.g. for Safeguarding purposes) criminal records, fines and other similar judicial records.



## How do we process your personal data?

The data controllers will comply with their legal obligations to keep personal data up to date; to store and destroy it securely; to not collect or retain excessive amounts of data; to keep personal data secure, and to protect personal data from loss, misuse, unauthorised access and disclosure and to ensure that appropriate technical measures are in place to protect personal data.

We use your personal data for some or all of the following purposes:

- To enable us to meet all legal and statutory obligations, which include
  - maintaining and publishing our electoral roll in accordance with the Church Representation Rules
  - holding and making available data concerning baptisms, marriages, deaths, and interments
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments;
- To validate that members/volunteers involved in the preparation and serving of food at services and events have the appropriate Food Hygiene qualifications
- To minister to you and provide you with pastoral and spiritual care (such as visiting you when you are gravely ill or bereaved) and to organise and perform ecclesiastical services for you, such as baptisms, confirmations, weddings and funerals;
- To deliver the Church's mission to our community, and to carry out any other voluntary or charitable activities for the benefit of the public as provided for in the constitution and statutory framework of each data controller;
- To administer the parish membership records, and contribute to the deanery, archdeaconry and diocesan membership records;
- To manage our employees, self-employed workers, and volunteers
- To fundraise and promote the interests of the Church and charity, including via the use of third-party donation web sites and text-giving;
- To process bookings for the hire of church buildings, or use of the buildings for events associated with the church
- To maintain our own accounts and records; including the giving and donations of members, bequestors, visitors etc; and the payment of suppliers, volunteers' expenses etc
- To process a donation that you have made (including Gift Aid information and the provision of donors' personal information to HMRC in order to receive Gift Aid payments as a registered charity)
- To seek your views or comments;
- To notify you of changes to our services, events and role holders;
- To administer sub-groups within the church; as well as rotas of volunteers at events, services, attendees at meetings, church sub-groups. This includes making contact with them via email, telephone, or social media for e.g. the communication of reminders, event timing & rota changes
- To operate The Parochial Church Council of The Ecclesiastical Parish of Ottery St Mary web site and social media pages; and deliver the services that individuals have requested.
- To send you communications which you have requested and that may be of interest to you. These may include information about meetings, events, campaigns, appeals, other fundraising activities;
- To process a grant or application for a role;
- To enable us to provide a voluntary service for the benefit of the public in a particular geographical area as specified in our constitution;
- Our processing also includes the use of CCTV systems for the prevention and prosecution of crime.



## What is the legal basis for processing your personal data?

### In summary

Much of our data is processed because it is necessary for our legitimate interests, or the legitimate interests of a third party (such as another organisation in the Church of England). An example of this would be our safeguarding work to protect children and adults at risk. We will always take into account your interests, rights and freedoms.

Some of our processing is necessary for compliance with a legal obligation. For example, we are required by the Church Representation Rules to administer and publish the electoral roll, and under Canon Law to announce forthcoming weddings by means of the publication of banns.

We may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the hire of church facilities.

Religious organisations are also permitted to process information about your religious beliefs to administer membership or contact details.

Where your information is used other than in accordance with one of these legal bases, we will first obtain your consent to that use.

### In more detail

The legal bases for processing your personal data fall under either article 6 or article 9 of the GDPR – we set out our specific bases below.

#### Processing under GDPR Article 6

##### Consent of the data subject

- so we can keep you informed about news, events, activities and services that will be occurring in the Church; Otter Vale community of churches; diocese; and possibly the wider Church of England; and to enable these bodies to make contact with key post-holders in the PCC or members of the church
- so we may contact you about groups and activities you may be interested in participating in; or are already participating in
- to allow publishing, including via the church's public web site(s)/pages, of the contact details of PCC trustees/holders of key posts/members within the church, so they may be contacted, both by members and associates of the church, and outsiders, in respect of the services or activities that it carries out or offers
- so that church members may contact each other by email, telephone, mobile phone and social media, or otherwise identify each other e.g. by photographs held by the church, to facilitate the smooth running of the church's administration, services, events, volunteer rotas, fundraising and stewardship activities, and other initiatives in the life of the church

[See "Consent Form" at the end of this notice]

##### Processing is necessary for the performance of a contract with the data subject or to take steps to enter into a contract

- so we can procure and use the services of sole-traders or self-employed individuals, e.g. for cleaning of the premises or playing/repairing the church organ
- so we can enter into agreements with individuals (members, associates, or outsiders) wishing to hire or otherwise use the church premises, facilities and associated services



Processing is necessary for compliance with a legal obligation

- To register details of Trustees of the PCC with the Charities Commission
- We are required by the Church Representation Rules to administer and publish the electoral roll (i.e. to allow the registration/de-registration of lay-persons onto the parish Electoral Roll in accordance with the Church of England Representation Rules (see <https://www.churchofengland.org/more/policy-and-thinking/church-representation-rules/part-i#bcp1>); and make the roll available for inspection by bona fide enquirers)
- Under Canon Law, we are required to announce forthcoming weddings by means of the publication of banns
- So we can carry out the contractual and legal obligations associated with the PCC's employees, including calculation of pay, tax, pension, National Insurance contributions; and administering the terms of the contract of employment.
- So we can operate and run raffles, fete tombolas and similar regulated fund-raising activities, in accordance with the Lotteries and Amusements Act 1976 and the Lotteries Regulations 1993
- to allow the PCC to apply for necessary permission/licences/insurances required for e.g. the serving of alcohol, use or display of copyright material within church premises or at other locations used for church events

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller;

- So we can carry out the tasks associated with the conducting and registration of marriages in our place of religious worship that has been officially registered for marriages by the Registrar General for England and Wales; and the conducting of, and recording of data in registers concerning baptisms, funerals and interments

Processing is necessary for the legitimate interests of the data controller or a third party, except where such interests are overridden by the interests, rights or freedoms of the data subject.

- So we can keep a register of contact details of church officers, members, volunteers, and associates of the parish, to facilitate the legitimate interests of the PCC in administering the affairs of the church and its members, including
  - maintenance of data relating to individuals, and households/families
  - maintenance of groups and sub-groups within the church; and within the local church community
  - maintenance of volunteer roles and rotas at church services and events, including sending invitations and inviting responses, eliciting volunteers
  - keeping records of member donations, whether by banker's order, envelope scheme, third-party donation web-site
  - keeping attendance records at church services, group/sub-group meetings, events
  - reimbursing members and volunteers for purchases made on behalf of the PCC, including by electronic payments made through our bank account; and, with the consent of parent/guardian(s), make payments to children under 16 for attendances at choir practices and services
  - processing Gift Aid donations, without which processing the PCC will not receive from HMRC income tax repayments on such donations
  - so we can carry out our obligations in respect of the safeguarding of children and adults-at-risk, including the examination and processing of the results (e.g. certificate) of a Disclosure and Barring Service (DBS) enquiry

**Processing under GDPR Article 9 – Processing of special categories of personal data**

The PCC may process “personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs..., data concerning health or a natural person's sex life or sexual orientation” under the following legal bases

Explicit consent of the data subject

- so we can provide volunteer services in respect of marriage preparation; pastoral care & counselling; bereavement counselling etc
- so we can provide volunteer services, help (including financial), guidance to distressed individuals and families, including refugees, irrespective of their religious persuasion or relationship to the church
- in revealing to the PCC's Safeguarding Officer(s) the results (e.g. certificate) of a Disclosure and Barring Service (DBS) enquiry requested of the data subject, in consideration of a role or post involving contact with children or adults-at-risk

Processing is necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement

- so we can carry out any such contractual and legal obligations (from time to time in force) associated with the PCC's employees
- so we can carry out our obligations in respect of the safeguarding of children and adults-at-risk, including the examination and processing of the results (e.g. certificate) of a Disclosure and Barring Service (DBS) enquiry (consented to in the circumstances set out above)



Processing is carried out in the course of the PCC's legitimate activities as a not-for-profit body with a philosophical and religious aim, on the basis that: -

- 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.
- so we can determine the eligibility of individuals wishing to apply for enrolment or renew enrolment on the Church Electoral Roll of our parish; and in respect of applications for membership of the PCC; or for other posts within the church, e.g. Church Warden
- so we can determine the eligibility of individuals (and their relatives/sponsors/nominated god-parents) wishing to be married or baptised, have a child christened (baptised), be 'confirmed' in our church

Processing is necessary for archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes

- so we may grant access to copies of historic records of births, marriages which took place in the church, for historical research purposes



## Sharing your personal data

Your personal data will be treated as strictly confidential. It will only be shared with third parties where it is necessary for the performance of our tasks or where you first give us your prior consent. It is likely that we will need to share your data with some or all of the following (but only where necessary):

- The appropriate bodies of the Church of England including the other data controllers;
- Other clergy or lay persons nominated or licensed by the bishop of the Diocese of Exeter to support the mission of the Church in our parish. For example, our clergy are supported by our area dean and archdeacon, who may provide confidential mentoring and pastoral support. Assistant or temporary ministers, including curates, deacons, licensed lay ministers, commissioned lay ministers or persons with Bishop's Permissions may participate in our mission in support of our regular clergy;
- Other persons or organisations operating within the Diocese of Exeter; and on occasion, other churches with which we are carrying out joint events or activities.
- Our agents, servants and contractors. For example, we may ask a commercial provider to send out newsletters on our behalf;

We do share data with the following parties (list not exhaustive)

- Third-party 'cloud services' to run our IT services and applications (listed below under "Transfer of data abroad")
- The Charities Commission (as we are a registered charity #1133945)
- HMRC (for Gift Aid Claims; employee-related data)
- Our Bank (to make electronic (BACS) - payments)

You may share data with us via the following parties:

- TotalGiving (Donation Manager)
- JustTextGiving by Vodafone

## How long do we keep your personal data?

We will keep some records permanently if we are legally required to do so. We may keep some other records for an extended period of time. For example, it is current best practice to keep financial records for a minimum period of 7 years to support HMRC audits. In general, we will endeavour to keep data only for as long as we need it. This means that we may delete it when it is no longer needed. We also align with the Church of England guidelines on document and data retention as published by Exeter Diocese (<http://www.exeter.anglican.org/wp-content/uploads/2014/11/What-to-do-with-parish-records-keep-or-bin.pdf>) "Keep or Bin...? The Care of Your Parish Records"

## Your rights and your personal data

You have the following rights with respect to your personal data:

When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

1. The right to access information we hold on you
  - At any point you can contact us to request the information we hold on you as well as why we have that information, who has access to the information and where we obtained the information from. Once we have received your request we will respond within one month.
  - There are no fees or charges for the first request but additional requests for the same data may be subject to an administrative fee. (Requests for access to genealogical records of non-living persons are not subject to the GDPR, and fees are chargeable)
2. The right to correct and update the information we hold on you
  - If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.



3. The right to have your information erased
  - If you feel that we should no longer be using your data or that we are illegally using your data, you can request that we erase the data we hold.
  - When we receive your request we will confirm whether the data has been deleted or the reason why it cannot be deleted (for example because we need it for our legitimate interests or regulatory purpose(s)).
4. The right to object to processing of your data
  - You have the right to request that we stop processing your data. Upon receiving the request we will contact you and let you know if we are able to comply or if we have legitimate grounds to continue to process your data. Even after you exercise your right to object, we may continue to hold your data to comply with your other rights or to bring or defend legal claims.
5. The right to data portability
  - You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.
6. The right to withdraw your consent to the processing at any time for any processing of data to which consent was sought.
  - You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).
7. The right to object to the processing of personal data where applicable.
8. The right to lodge a complaint with the Information Commissioner's Office.

#### **Transfer of Data Abroad**

Any electronic personal data transferred to countries or territories outside the EU will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union.

The PCC utilises

- a church management computer system ("Breeze") holding the personal data of data subjects, on third-party servers located in Southern California, USA. Access to this system is via the public internet. Details of the security surrounding these facilities and systems can be found at  
<https://support.breezechms.com/hc/en-us/articles/360002331833-Breeze-Security-SSL>  
<https://www.breezechms.com/security>
- the web-based suite of collaboration and productivity tools, including email and secure file-storage/sharing services, from Google ("G-Suite"), run on servers located in data centres around the world, including outside of the EU  
(see <https://www.google.com/about/datacenters/inside/locations/index.html>)
- the web-based secure file-storage/sharing services of DropBox, located on servers in the USA  
(see <https://www.dropbox.com/help/security/physical-location-data-storage>)
- the "marketing automation platform" MailChimp, located on servers in the USA  
(see <https://mailchimp.com/legal/privacy/>)

Our website and social media site are also accessible from overseas so on occasion some personal data (for example in a newsletter, or minutes of PCC meetings) may be accessed from overseas.

#### **Further processing**

If we wish to use your personal data for a new purpose, not covered by this 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.



## Contact Details

Please contact us if you have any questions about this Privacy Notice or the information we hold about you or to exercise all relevant rights, queries or complaints at:

The Data Controller,  
PCC of the Ecclesiastical Parish of Ottery St Mary, The College, Ottery St Mary, EX11 1DQ  
Email: [churchoffice@otterystmary.org.uk](mailto:churchoffice@otterystmary.org.uk)  
Tel: 01404 812062

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.



# OTTERY ST MARY PARISH CHURCH

## DATA PRIVACY - CONSENT FORM

Your privacy is important to us and we would like to communicate with you about the church and its activities. To do so we need your consent. Please fill in your name and address and other contact information below and confirm your consent by ticking the boxes below.

You can find out more about how we use your personal data by reading our privacy notice which you can find here: [www.otterystmary.org.uk](http://www.otterystmary.org.uk)

*If you are aged 13 or under your parent or guardian should fill in their details below to confirm their consent*

Name .....

Address .....

.....

.....

Signature .....

Date .....

Please confirm your consent (tick box) to one or more of the following<sup>1</sup>

**Newsletters and other communications**

We may contact you to keep you informed about what is going on in the local or neighbouring parishes, other churches and the work of the Diocese including news, events, meetings, clubs, groups and activities. These communications may also sometimes appear on our website, the Diocesan website or in printed or electronic form (including social media).

**Activities and groups**

We may contact you about groups and activities you may be interested in participating in; or are already participating in. We sometimes work with similar groups in other churches within or outside the Diocese or with the Diocese itself. Occasionally names and photos may appear in newsletters, bulletins or on websites, or social media; and individual's photos stored within the Church Management System

- Yes please, I would like to receive communications by email
- Yes please, I would like to receive communications by telephone
- Yes please, I would like to receive communications by mobile phone including text message
- Yes please, I would like to receive communications by social media
- Yes please, I would like to receive communications by post
- Yes, my individual photo may be stored within the Church Management System

<sup>1</sup> 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; (so for example we may not be able to let you know about forthcoming services and events); except in certain limited situations, such as where required to do so by law or protect members of the public from serious harm. You can find out more about how we use your data from our "Privacy Notice" which is available from our website or from the Parish Office or at: [www.otterystmary.org.uk](http://www.otterystmary.org.uk). You can withdraw or change your consent at any time by contacting the Parish office.