Data Protection Policy

Clonmel Baptist Church

This policy is intended for use by Clonmel Baptist Church as they carry out their data protection responsibilities.

The policy includes:

* Full Privacy Notice
* Guidelines for Data Processors
* Information Register
* Subject Access Policy
* Breach Notification Policy
* Sample Consent Form
* Sample Privacy Notices

# PRIVACY NOTICE

## Data Protection Principles

The Clonmel Baptist Church complies with the General Data Protection Regulation (GDPR) as implemented in May 2018. We aim to ensure that, when processing information belonging to individuals, we will use that data ***with*** ***integrity, appropriately, and sparingly.*** We will endeavour to ensure such data is ***accurate, not kept forever, and stored securely.*** Training in data protection is recommended for all our staff and volunteers who store and/or use people’s information. We will post this Privacy Notice on our website. We will review this policy every three years.

## Your Rights

You have data protection rights that you can exercise over the information you give us. These rights include: **to be informed** how your data is being used; **to have access** to the information we hold about you; **to have inaccuracies corrected**; **to have your information erased**; **to object to or restrict** the ways we process your information, and; **data portability** (to receive your digital information in a useful format). There may be some legal restrictions on these rights, which we will explain as appropriate. If you feel your rights haven’t been upheld please contact the Elders of Clonmel Baptist Church

## Our Contact Details

If you need to get in touch with us please contact:
Pastor Matthew Brennan

Phone: 0861527663 E-mail: matthewmbrennan@eircom.net

## Your Data

We may record and process some or all of the following personal information about you:

* contact details (address, phone numbers, e-mail address)
* date of birth
* photographs/video recordings
* financial giving to the church
* religious beliefs
* health and medication

We use this data so that we might:

* encourage you in your discipleship and provide pastoral care to you as part of the church family, eg by visiting at your home, calling your telephone, or sending a text message or e-mail
* keep you informed about life in the church family, eg by sending you occasional notices by post, e-mail or text message.
* process your involvement in activities of the church family, including groups that meet regularly as well as residential and other special trips
* facilitate the organisation of the church , eg by creating rotas

## Legal Bases for Processing

Our legal bases for processing your data are ‘legitimate interests’ (for activities related to the everyday functioning of the church) [GDPR Article 6.1(f)] and ‘consent’ (for everything else) [Article 6.1(a)]. In a small number of instances we rely on ‘contract’ (for example, if we are your employer) and ‘legal obligation’ (for example, in relation to safeguarding issues).

When using ‘legitimate interests’ as the legal basis for using the information you have given us we will ensure it is for a **genuine** purpose, **necessary** for the smooth running of the church family, and **not invasive** to your privacy. For all other purposes we will ask for your positive consent before processing your details.

We are able to process ‘special categories of personal data’ (such as your health or religious beliefs) in the course of our legitimate activities because we are a not-for-profit body with a religious aim relating to you as a member, former member, or person with whom we have regular contact [Article 9.2(d)].

## Sharing Your Data

Only people appointed to specific roles within the church (for example, elders and secretary) can access your details, and what they can see is limited to what they need in order to carry out their role.

If you are appointed to a specific role within the life of the church we may publish your details (eg in announcement sheets, annual reports or our web presence) or share them directly so members and other relevant individuals/organisations can contact you. This will cease when you step down from the role.

We occasionally post photographs and/or video taken at church events on our website (clonmelbaptist.ie and/or other online platforms eg. facebook).

If you donate money to us using the Irish Charities Donations Scheme we will send details of those gifts to the Revenue Commissioners.

We will not share your information with any other third parties without your permission unless we have a legal obligation to do so. However, we may need to share your details as follows:

* to comply with our Safeguarding policy when you volunteer with children and vulnerable adults.

## Security and Retention

* To prevent unauthorised disclosure of your information, our paper-based records are kept in a locked cabinet/briefcase/safe when not in use. Electronic and portable memory devices are protected by passwords or equivalent security measures. Membership software and digital documents containing personal data are either encrypted or password-protected.
* Other than our permanent records (like Membership, Baptism and Church minutes) or details that need to be kept for legal compliance (such as Safeguarding notes ), we will remove your information from our systems when no longer required after your last personal contact with us.
* One-off consent forms (such as for annual group membership or booking for trips etc) will be destroyed/erased one year after their use.

## Subject Access Request

You have the right to ensure our use of your data is lawful, and that the data we hold is accurate. If you would like to access the data we process about you, please write to us at:

Clonmel Baptist Church

Ballingarrane North

Clonmel

Co. Tipperary

E91D526
or e-mail: matthewmbrennan@eircom.net

In order to locate the information you are requesting and to ensure proof of your identity, please send us:

* Your name (including any names by which you used to be known) and Date of Birth
* Address (incl postcode), e-mail address(es), telephone number(s)
* ***Two*** pieces of identification that between them clearly show your name, date of birth and current address (eg passport, photocard driving license, birth certificate, recent bank statement/utility bill)

In response, and within one month at the latest, we will send to you:

* The personal data we hold on record for you
* The types of processing we do with your data
* The people/groups with whom your data will have been shared (or will be in the future)
* Our intentions regarding how long we might store your data
* OR our reasons for *not* providing your data

We will not charge for this service unless you make multiple requests within a short space of time.

## Further Information

You can learn about Data Protection principles, your rights, and more – including making a complaint about our handling of your data – from the Data Protection Commissioner (DPC) in the Republic of Ireland [visit [www.dataprotection.ie](http://www.dataprotection.ie), call (0761) 104 800 or write to The Data Protection Commissioner, Canal House, Station Road, Portarlington, Co. Laois R32 AP23].

# GUIDELINES FOR DATA PROCESSORS

## Am I a Data Processor?

Everyone who gathers, stores or uses personal information on behalf of the Church is considered to be a ‘data processor’. If you are a data processor it is your responsibility to help the Church comply with the GDPR by implementing this Data Protection Policy. In so doing, you will not only keep people’s information safe and secure but you will also help them to use their rights and protect the Church from the reputational damage (and potentially, fines) that could be caused by a data protection breach.

## What Do I Need to Understand?

If any of the following terms and concepts are unfamiliar to you, it’s a sign that you need some training!

* Data protection language – ‘controller’, ‘processor’, ‘process’, ‘personal’, ‘data’, ‘special categories of data’, ‘subject’, ‘children’s data’, ‘legal basis’
* Principles of data protection
* Privacy rights of data subjects
* Procedures for:
	+ Subject Access Requests
	+ Breach Notifications
* Using Privacy Notices and Consent

We want to treat individuals with integrity, so they ought not to be surprised by *how* you have their information, nor by the *way* you use it or *who* else might have access to it. Thank you for the work you do!

# NAME INFORMATION REGISTER (month year)

Review all your databases, email lists, spreadsheets, paper documents and other lists of personal data. If there are any issues, identify what you need to do or seek guidance upon. New consent forms, privacy notices, and new or revised policies or procedures may need to be implemented to ensure compliance with GDPR.

| Description of data | Where/Who did it come from? | Who keeps and/or accesses it? | Do we need and have parental permission to hold it? | Why do we need it? | Do we need and have consent to do that? | How long will we keep it? | What security controls are in place? Any breach risks? | With whom might we share it? | Does our Privacy Notice reflect this? Any action required? |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *EXAMPLE Gift Aid records (spreadsheet)* | *Gift Aid envelope from donor* | *Treasurer/Gift aid secretary* | *N/A* | *To process gift aid refunds* | *Yes – yes, through completion of envelope* | *Six years beyond this financial year* | *Envelopes are stored in church filing cabinet; spreadsheet is kept on MCI Onedrive* | *HMRC* | *Update privacy notice* |
| *EXAMPLE Messy Church membership register (spreadsheet)**FURTHER EXAMPLES AT http://bit.ly/dataexamples* | *Contact details form from parent/guardian* | *MC secretary* | *Yes - Yes* | *To keep in touch with members by post, e-mail and text message* | *No – ‘legitimate interests’* | *undecided* | *Forms are in a folder at secretary’s home; spreadsheet is on a pendrive – this should be either encrypted or the file placed on MCI Onedrive* | *No-one* | *Decide how long to keep records**Review security arrangements* |
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BREACH NOTIFICATION POLICY

The Pastor is committed to complying with data protection legislation and will take appropriate technical and organisational measures to guard against unauthorised or unlawful processing and against accidental loss or destruction of or damage to personal data. However, if a data security breach occurs, it is important to manage and respond to it effectively. A data security breach covers more than the simple misappropriation of data and may occur through incidents such as:

* Loss or theft of data or equipment
* People gaining inappropriate access
* A deliberate attack on systems
* Equipment failure
* Human error
* Catastrophic events (for example, fire or flood)
* Malicious acts such as hacking, viruses or deception

## Immediate Action

If such an incident occurs it is imperative that we act ***immediately***. The following steps should be taken:

1. Inform the Pastor and Elders
2. An initial investigation will be undertaken to determine:
	1. The nature and cause of the breach;
	2. The extent and nature of harm that has or could arise from the breach; and
	3. Any remedial action that can prevent any or further harm.

*If there is no risk of harm then no further action is required* (for example if papers are temporarily lost due to being incorrectly filed but are then promptly found and no disclosure has occurred or harm likely to occur).

If there is considered to be a risk of harm then:

1. The Commissioner must be informed the Data Protection Commissioner’s Office, (if based in the RoI). If we do not have all of the information by then a report should be made within the 72 hours on the basis of what is known while investigations continue: see page 4 for contact details.
2. If the breach is likely to result in a high risk of adversely affecting individuals’ rights and freedoms, we must also inform those individuals without undue delay.
3. If necessary a number of third parties will be informed which may include:
	1. T
	2. The police/guards;
	3. The Church’s solicitors.
4. Following notification we will continue to liaise and cooperate with ICO/DPC.
5. All reasonable steps to mitigate the damage arising from the breach will be taken.

## Follow-up

A record of all data protection breaches will be maintained regardless of whether or not notification is required. Detailed records of the investigation should be maintained as well. Following a breach if necessary it must be considered whether any of the below is required:

* Disciplinary action;
* Legal action;
* Internal review of security procedures.

A number of pro forma documents have been prepared which may be of use. Please note that, where possible, legal advice should always be sought in the case of a data breach prior to sending these correspondences.

**Appendix A** contains a template letter which can be sent to a data subject on discovery of a data breach which is likely to result in a high risk of harm.

**Appendix B** contains a template letter informing the ICO/DPC upon a data breach for which there is a risk of harm.

## Breach Notification – Appendix A – Letter to Data Subject

[On headed notepaper of the Circuit Executive]
Addressee
Address
Postcode

DATE

Reference: PERSONAL DATA BREACH NOTIFICATION

Dear Name,

We are sorry to inform you of a breach of security that has resulted in the [loss OR unauthorised disclosure OR destruction OR corruption] of your personal data. The breach was discovered on DATE and is likely to have taken place on DATE.

As a result of our investigation of the breach, we have concluded that the breach affects the following types of information: [TYPES OF INFORMATION. FOR EXAMPLE, FINANCIAL, SENSITIVE PERSONAL DATA]. The information has been [accidentally or unlawfully destroyed OR lost OR altered OR disclosed without authorisation OR accessed by [[Name or Description of Organisation] OR an unauthorised person]].

The breach occurred under the following circumstances and for the following reasons:

[CIRCUMSTANCES].

[REASONS].

We have taken the following steps to mitigate any adverse effects of the breach:

[MEASURES].

We recommend that you take the following measures to mitigate possible adverse effects of the breach:

[MEASURES].

[We informed the Information Commissioner's Office/Data Protection Commissioner’s Office of the breach on [DATE]].

You can obtain more information about the breach from us at:

Circuit Name, Circuit Superintendent/Appointed Person, Address, E-mail address, Phone number.

We apologise for any inconvenience this breach may cause you.

Yours sincerely,

 [NAME OF SENDER – printed under signature]

For and on behalf of Name Circuit, Methodist Church in Ireland

## Breach Notification – Appendix B – Letter to ICO/DPC

[On headed notepaper of the Circuit Executive]
Addressee
Address
Postcode

DATE

Reference: PERSONAL DATA BREACH NOTIFICATION

Dear Sir/Madam,

I am writing to notify you of a breach of security that resulted in the [loss OR unauthorised disclosure OR corruption OR destruction] of personal data. We consider this to be a serious data security breach.

[We have investigated the breach by [DETAILS OF HOW THE BREACH WAS INVESTIGATED] and provide you with the following information.]

[We are in the process of investigating the breach and we anticipate completing our investigation by [DATE], when we will provide you with the further information required. We can provide you with the following details at this stage [PROVIDE ALL THAT IS KNOWN].]

Name Circuit of the Methodist Church in Ireland is the data controller in respect of the data breach.

The breach was discovered on DATE and is likely to have taken place on DATE.

The information has been [accidentally or unlawfully destroyed OR lost OR altered OR disclosed without authorisation OR accessed by [[Name or Description of Organisation] OR an unauthorised person]].

The breach occurred under the following circumstances and for the following reasons:

[CIRCUMSTANCES].

[REASONS].

We had the following measures in place to prevent an incident of this nature occurring:

[MEASURES].

We enclose our Data Protection Policy, which was implemented on DATE.

The breach affects the following types of information:

[TYPES OF INFORMATION, FOR EXAMPLE, FINANCIAL OR SENSITIVE PERSONAL DATA AND DETAILS OF THE EXTENT].

It is likely that the breach affects around NUMBER data subjects.

[We have [not] informed the individuals affected by the breach because [REASONS FOR DECISION] OR The individuals are [aware OR unaware] that the incident has occurred].

The breach may have the following consequences and adverse effects on the affected data subjects:

[CONSEQUENCES].

[ADVERSE EFFECTS].

We have [received [NUMBER] of complaints OR not received any complaints] from the affected individuals.

We [have taken OR propose to take] the following measures to address the breach and to minimise and mitigate its effects on the affected individuals:

[MEASURES].

The information has [not] been recovered [and the details are as follows:

[DETAILS OF HOW AND WHEN IT WAS RECOVERED]].

We have also taken the following steps to prevent future occurrences of the breach:

[REMEDIAL ACTION TAKEN].

The facts surrounding the breach, the effects of that breach and the remedial action taken have been recorded in a data breach inventory maintained by the Circuit Executive.

We provide staff/volunteers/leaders with training on the requirements of data protection legislation. We confirm that training on the requirements under the data protection legislation is mandatory for all staff/volunteers/leaders [and that the people involved in this incident received training on [DATE]].

We have [not] informed the police about this data breach [and the details are as follows: [DETAILS AND NAME OF POLICE FORCE].

There has [not] been [any] media coverage [and the details are as follows: [DETAILS OF MEDIA COVERAGE].

In addition, we consider that the following information would be of interest to you: [DETAILS].

If you require any further information about the breach, please contact:
Appointed Person, Address, E-mail address, Phone number.

Yours faithfully,

[NAME OF SENDER – printed under signature]

For and on behalf of Clonmel Baptist Church

# SAMPLE CONSENT FORM

When you gather people’s personal details it is important to ensure they are aware of how you will process those details, and that they give explicit consent for non-essential processing. Please find below some example wording for a form you could use to gather those details and permissions:

## Example Clonmel Baptist Church

### Personal Information Consent Form

Your privacy is important to us, and we want to communicate with the church family in a way which has your understanding and consent, and which is in line with irish/EU law on data protection. Please fill in the contact details you would like us to use to communicate with you:

Name: \_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_ Postcode: \_\_\_\_\_\_\_\_\_\_

Telephone: \_\_\_\_\_\_\_\_\_\_

Mobile phone: \_\_\_\_\_\_\_\_\_\_

E-mail address: \_\_\_\_\_\_\_\_\_\_

If more than one adult is part of your home, please also include their details above AND SIGNATURE below. If you would like us to include any children in your household, please include their names and dates of birth here:

Child’s Name: \_\_\_\_\_\_\_\_\_\_ Date of Birth: \_\_\_\_\_\_\_\_\_\_

Child’s Name: \_\_\_\_\_\_\_\_\_\_ Date of Birth: \_\_\_\_\_\_\_\_\_\_

Child’s Name: \_\_\_\_\_\_\_\_\_\_ Date of Birth: \_\_\_\_\_\_\_\_\_\_

By signing this form you are confirming that you understand and/or consent to the Clonmel Baptist Church processing your personal data for the everyday activities of the church (including pastoral care, organising the congregation, occasional mailings about events). In addition, if you would like to participate in the particular types of processing listed below, please tick the boxes where you grant consent:

⬜ Example: Printing your details in the church directory, which is shared with other members and visitors to the church
⬜ Example: Sending you a weekly e-mail with church announcements
⬜ Example: Including you in the church prayer chain by text message

Signature(s): \_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_

You can find out more about how we use your data from our “Privacy Notice”, which is available from our website (clonmelbaptist.ie) You can withdraw or change your consent at any time by contacting the Pastor at [matthewmbrennan@eircom.net]. Please note that all processing of your personal data will cease once you have withdrawn consent, other than where this is required by law, but this will not affect any personal data that has already been processed prior to this point. It is your responsibility to keep your information accurate – please let us know when any details change.

# SAMPLE PRIVACY NOTICES

It isn’t feasible to always include the full Privacy Notice when people give their details to you. While it is good practice to always inform individuals how to access the full Privacy Notice, you might find the phrases below helpful when seeking consent for a new form of processing. No matter how little space you have, make sure the individual is provided with the following :



## Church directory:

We ( Clonmel Baptist Church) intend to publish a ‘church directory’ of members so fellow members can get in touch with one another. If you would like to be included in the directory, please indicate your consent by providing the details you would like to be printed and signing/clicking below. The directory will be made available to members and visitors to the church. We will not use or share your details beyond this purpose, and we will seek your permission again when the next edition is being compiled. You can opt out before publication by contacting Name at e-mail address.

## E-mail newsletter:

We (Clonmel Baptist Church) would like to send you a weekly newsletter by e-mail. Please consent by providing your e-mail address and signing/clicking below. We will not use or share your details beyond this purpose. You can opt out at any time by clicking the unsubscribe link within the messages or by contacting Name at e-mail address.

## Text message prayer chain:

We (Clonmel Baptist Church) operate a text message/Whatsapp Broadcast service to notify members of prayer requests from within and beyond the church family. Messages can vary in frequency between daily and monthly. If you would like to receive these messages please consent by providing your mobile phone number and signing/clicking below. We will not use or share your details beyond this purpose.