



## DATA PRIVACY NOTICE

### The Parochial Church Council (PCC) St Michael and All Angels, Cofton Hackett and St. Andrew's, Barnt Green

#### 1. Your personal data – what is it?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation (the "GDPR").

#### 2. Who are we?

The PCC of St Michael and All Angels, Cofton Hackett and St Andrew's, Barnt Green (the PCC of Cofton Hackett and Barnt Green), is the data controller (contact details below). This means it decides how your personal data is processed and for what purposes.

#### 3. The legal basis for processing your personal data

The legal bases on which the PCC of Cofton Hackett and Barnt Green will process personal information are: -

- Legitimate interest
- Compliance with a legal obligation
- To fulfil contractual obligations
- Consent
- Vital interest
- Public task

#### 4. The data we collect and hold about you

The PCC of Cofton Hackett and Barnt Green processes data including: -

- Names, titles and images
- Contact information including telephone numbers, postal and email addresses
- Where there is a **legitimate interest** to facilitate our charitable aims and activities, or where you have provided them to us, we may process demographic information such as gender, age, date of birth, marital status, nationality, education/work histories, academic/professional qualifications, family composition and dependants
- Where you give financially in support of our churches, to pay for church activities (event bookings etc.), financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers
- As a church (religious organisation), the data we process is likely to constitute sensitive personal data because the very fact that we process your data at all may be suggestive of your religious beliefs. GDPR outlines clearly special categories of data of which religious or similar beliefs is one.
- Confidential Declaration Forms and where applicable, relevant conduct data and/or criminal offence data (including allegations); barring data; court findings or orders.
- We also collect the following information about other individuals living or employed in your household who are over 16 years old, where applicable criminal offence data (including allegations); barring data; court findings or orders. (see "How we use your personal data" and "What is the legal basis for processing your personal data" paragraphs 7 and 8). It is our expectation that you will inform these individuals that you have put their details on the Confidential Declaration form, and that you explain the reason for this.

#### 5. When we will process your data

- Most of the processing of your personal data will be for the PCC of Cofton Hackett and Barnt Green's legitimate interests (or the legitimate interest of a third party, such as another organisation within the Church of England)

- Some processing will be carried out because of a legal obligation to do so. This includes the legal processes of the Church of England and Canon Law and also secular statutory requirements
- We will process data if it is necessary to fulfil a contract with you
- We will process your data to respond to requests from you to receive particular information.
- We will process data to assist you in fulfilling your role in the Church of England Birmingham, including pastoral and administrative support
- Religious organisations are also permitted to process information about your religious beliefs to administer membership or contact details
- We will process your data if you have given your explicit consent, for example so that we can keep you informed about news, events and activities.

## 6. How do we process your personal data?

The PCC of Cofton Hackett and Barnt Green complies with its obligations under the “GDPR” by

- keeping personal data up to date;
- storing and destroying it securely;
- not collecting or retaining excessive amounts of data;
- protecting personal data from loss, misuse, unauthorised access and disclosure and
- ensuring that appropriate technical measures are in place to protect personal data.

## 7. How we use your personal data

We use your personal data for the following purposes: -

- To enable us to provide a voluntary service for the benefit of the public in a particular geographical area as specified in our constitution
- To administer membership records
- To fundraise and promote the interests of the charity
- To maintain our own accounts and records (including the processing of gift aid applications)
- To inform you of news, events, activities and services running at St. Michael and All Angels and St. Andrew’s
- To manage our employees and volunteers
- To maintain records of mandatory training with regard to safeguarding, and other safeguarding and personnel records as set out in law and the Church of England’s national requirements
- To manage safeguarding including DBS and safer recruitment, working with individuals within a safeguarding context within the church; and within statutory and legislative requirements
- 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
- Confidential Declaration forms are used to ensure that we take all reasonable steps to prevent those who might harm children or adults from taking up positions of respect, responsibility or authority where they are trusted by others in accordance with the Safer Recruitment: Practice Guidance (2016). We use your data for the following purposes and lawful bases:
  - Appointing individuals to positions of respect, responsibility or authority where they are trusted by others.
  - For the Diocesan Safeguarding Adviser to conduct a risk assessment where applicant discloses information on the form.
  - Collect information about members of your household for the purpose of undertaking a Disclosure and Barring Service check on them if you have applied for a role where you work from home with children.

It is the legitimate interest of the PCC of Cofton Hackett and Barnt Green to ensure that only appropriate individuals are appointed to certain positions, as established by the Promoting a Safer Church - House of Bishops Policy Statement (2017). We also need to be assured that no member of your household poses any risk.

It is also necessary for reasons of substantial public interest in order to prevent or detect unlawful act and protect members of the public from harm, including dishonesty, malpractice and other seriously improper

conduct or for the purposes of safeguarding children and adults at risk. (Safer Recruitment Practice Guidance (2016)).

**Legitimate Interest Assessment**

We have a specific purpose with a defined benefit	The processing is an essential part of safer recruitment, to ensure that individuals appointed to positions of respect, responsibility or authority where they are trusted by others are properly vetted and pose no risk to children, vulnerable adults or the wider public.
The processing is necessary to achieve the defined benefit.	Without processing this data, there would be no assurance that suitable individuals are being appointed.
The purpose is balanced against, and does not override, the interests, rights and freedoms of data subjects.	The risk of significant harm to others if inappropriate appointments are made outweighs the low risk to individuals of disclosing the data to us.

For a copy of the full Legitimate Interest Assessment, please contact us on the details included in paragraph 13 headed “Complaints”.

The data we process is likely to constitute sensitive personal data. We may also, if you provide the information, process other categories of sensitive personal data such as racial or ethnic origin; and, where relevant, mental and physical health, details of injuries, medication/treatment received, and criminal records, fines and other similar judicial records.

**8. What is the legal basis for processing your personal data?**

- Explicit consent of the data subject so that we can keep you informed about news, events, activities and informed about diocesan events.
- Processing is necessary for carrying out obligations under employment, social security or social protection law, or a collective agreement;
- Processing is carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided: -
  - 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.

**9. Sharing your personal data**

Your personal data will be treated as strictly confidential and will only be shared with other members of the church in order to carry out a service to other church members or for purposes connected with the church. We will only share your data with third parties outside of the parish with your consent.

Recruitment data will be treated as strictly confidential and will only be shared with those involved in the recruitment/appointment process and, where appropriate, the Diocesan Safeguarding Adviser. It may be shared outside the Church for the prevention or detection of an unlawful act; to protect members of the public from harm or safeguarding purposes, or as required by law, under Schedule 1, Part 1, Part 2 or Part 3 (as appropriate) of the Data Protection Act 2018, with the following:

- Police
- Children’s or Adults Social services in Local Authorities
- Statutory or regulatory agencies, (e.g., the DBS)

**10. How long do we keep your personal data?**

We keep data in accordance with the guidance set out in the guide “Keep or Bin: Care of Your Parish Records” which is available from the Church of England website [see footnote for link].

Specifically, we retain electoral roll data while it is still current; gift aid declarations and associated paperwork for up to 6 years after the calendar year to which they relate; and parish registers (baptisms, marriages, funerals) permanently.

We keep your personal recruitment data, if your application is successful, for no longer than reasonably necessary for the periods and purposes as set out in the retention table below at the following link:

<https://www.churchofengland.org/sites/default/files/2017-10/Safeguarding%20Records%20Retention%20Tool%20kit%20-Dec%202015.pdf>

If your application isn't successful, your data will be held for 6 months after the recruitment process ends, and then destroyed.

## 11. Your rights and your personal data

Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data: -

- The right to be informed about any data we hold about you;
- The right to request a copy of your personal data which the PCC of Cofton Hackett and Barnt Green holds about you;
- The right to request that the PCC of Cofton Hackett and Barnt Green corrects any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for the PCC of Cofton Hackett and Barnt Green to retain such data;
- The right to withdraw your consent to the processing at any time
- The right to request that the PCC of Cofton Hackett and Barnt Green provide the data subject with his/her personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable) [*Only applies where the processing is based on consent or is necessary for the performance of a contract with the data subject and in either case the data controller processes the data by automated means*].
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
- The right to object to the processing of personal data, (where applicable) [*Only applies where processing is based on legitimate interests (or the performance of a task in the public interest/exercise of official authority); direct marketing and processing for the purposes of scientific/historical research and statistics*]
- The right to lodge a complaint with the Information Commissioners Office.

## 12. Further processing

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

## 13. Complaints

If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact us using the details set out below.

## 14. Contact Details

To exercise all relevant rights, queries of complaints please in the first instance contact the PCC Secretary / Parish Administrator at [office@chandbgparish.org.uk](mailto:office@chandbgparish.org.uk) or Parish Centre, Sandhills Road, Barnt Green B45 8NR.

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.

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<sup>1</sup> Details about retention periods can currently be found in the Record Management Guides located on the Church of England website at: - <https://www.churchofengland.org/more/libraries-and-archives/records-management-guides>